

Standing Appropriations Bill Senate File 478

FINAL ACTION

April 26, 2009

An Act relating to state and local finances by providing for funding of property tax credits and reimbursements, by making, increasing, and reducing appropriations, providing for salaries and compensation of state employees, providing for matters relating to tax credits, providing for fees and penalties, and providing for properly related matters, and including effective date and retroactive and other applicability provisions.

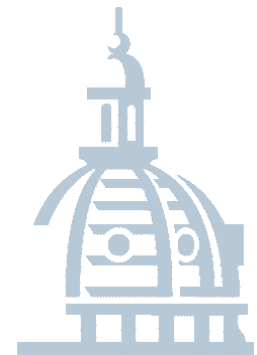


NOTES ON BILLS AND AMENDMENTS (NOBA)

Available on line at <http://www3.legis.state.ia.us/noba/index.jsp>

Fiscal Services Division

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**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 478
STANDING APPROPRIATIONS BILL**

FUNDING SUMMARY

- Appropriates a total of \$168.4 million from the General Fund for FY 2010. Makes supplemental General Fund appropriations for FY 2009 of \$3.5 million. The total FY 2010 appropriations represent an increase of \$24.0 million compared to the revised estimated net FY 2009 appropriations for the affected budget units in this Bill.
- Also appropriates \$305.8 million from other funds for FY 2010. Makes supplemental other fund appropriations for FY 2009 of \$2.3 million. The total FY 2010 appropriations represent an increase of \$143.7 million compared to the revised estimated net FY 2009 appropriations for the affected budget units.
- Appropriates \$62.2 million from the General Fund for Mental Health Allowed Growth for FY 2011. This is an increase of \$8.0 million compared to the FY 2010 appropriation in HF 811 (FY 2010 Health and Human Services Appropriations Bill). (Page 1, Line 4)

***DIVISION I – MENTAL HEALTH
ALLOWED GROWTH***

***DIVISION II – STANDING APPROPS.
AND RELATED MATTERS***

GENERAL ASSEMBLY

- Decreases the FY 2010 General Fund appropriations for the expenses of the General Assembly and legislative agencies by \$4.4 million. (Page 2, Line 7)

STANDING APPROPRIATION LIMITS

- Limits the following FY 2010 General Fund standing appropriations to the amounts specified:
 - \$7.8 million to the Department of Education for Nonpublic Transportation, a decrease of \$630,000 compared to estimated net FY 2009. (Page 2, Line 23)
 - \$2.5 million for the Municipal Fire and Police Retirement System, a decrease of \$201,000 compared to estimated net FY 2009. (Page 2, Line 30)
 - \$20.0 million to the Office of Energy Independence for the Iowa Power Fund, a decrease of \$4.6 million compared to estimated net FY 2009. (Page 3, Line 5)
 - \$11.5 million to the Department of Education for Child Development, a decrease of \$923,000 compared to estimated net FY 2009. (Page 3, Line 18)

**INSTRUCTIONAL SUPPORT STATE
AID**

- Eliminates the FY 2010 General Fund appropriation for the Instructional Support Program. This is a reduction of \$14.2 million compared to estimated net FY 2009. (Page 3, Line 23)

NOTE: House File 820 (FY 2010 Federal Funds Appropriations Bill) makes an appropriation of \$13.1 million from the Federal Recovery and Reinvestment Fund for the Program.

**FEDERAL ECONOMIC STIMULUS
AND JOBS HOLDING ACCOUNT**

- Requires all unobligated monies in the Federal Economic Stimulus and Jobs Holding Account to be transferred to the General Fund at the close of FY 2009. The estimated transfer, including unobligated principal and interest, is \$12.3 million. (Page 3, Line 35)

**EXECUTIVE SUMMARY
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**SENATE FILE 478
STANDING APPROPRIATIONS BILL**

PROPERTY TAX CREDIT FUND

- Appropriates \$101.4 million from the General Fund and \$54.7 million from the Cash Reserve Fund for FY 2010 and transfers the ending balance of the FY 2009 Property Tax Credit Fund to the FY 2010 Property Tax Credit Fund. The FY 2009 ending balance is estimated to be \$3.8 million. (Page 4, Line 19 through Page 5, Line 1)
- Makes the following FY 2010 appropriations from the Property Tax Credit Fund:
 - \$100.7 million for the Homestead Property Tax Credit, an increase of \$1.0 million compared to estimated net FY 2009. The FY 2010 demand is projected to exceed the appropriation by \$38.5 million. (Page 5, Line 6)
 - \$34.6 million for the Agricultural Land and Family Farm Tax Credit to maintain the current level of funding. The FY 2010 demand is projected to exceed the appropriation by \$4.5 million. (Page 5, Line 9)
 - \$2.4 million for the Military Service Tax Credit, a decrease of \$400,000 compared to estimated net FY 2009. This fully funds projected FY 2010 demand. (Page 5, Line 12)
 - \$22.2 million for the Elderly and Disabled Tax Credit, a decrease of \$400,000 compared to estimated net FY 2009. This fully funds projected FY 2010 demand. (Page 5, Line 15)

CASH RESERVE FUND

- Appropriates \$25.6 million from the Cash Reserve Fund for FY 2010 to the Executive Council for payment of claims relating to Performance of Duty provisions and the Contingent Fund. (Page 6, Line 5)
- Appropriates \$65.0 million from the Cash Reserve Fund for FY 2010 to the General Fund. Specifies that the appropriation not be counted as new revenue for purposes of the expenditure limitation provisions. (Page 6, Line 16)
- Specifies that the General Fund appropriation to the Cash Reserve Fund required in the event the Cash Reserve Fund does not maintain a balance equal to 7.5% of the FY 2010 adjusted revenue estimate will not be made in FY 2010. (Page 6, Line 28)
- Repeals the standing General Fund appropriation of \$25,000 to Tama County for an additional deputy sheriff on the Sac and Fox Indian settlement. Since FY 2007, this appropriation has not been expended and has reverted to the General Fund, so the repeal will have no fiscal impact. (Page 6, Line 28)

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 478
STANDING APPROPRIATIONS BILL**

***DIVISION III – SALARIES AND
COMPENSATION***

The identified need for FY 2010 salary increases for State employees is \$67.6 million from the General Fund and \$121.1 million from all funds.

Makes the following salary and compensation provisions:

- Requires State departments, boards, commissions, councils, and agencies, including the Board of Regents, to provide from available sources, pay adjustments, expense reimbursements, and related benefits to fully fund collective bargaining agreements and non-contract employee expenses for FY 2010. The total estimated cost of FY 2010 salary increases is \$67.6 million from the General fund and \$53.5 million from other funds. (Page 8, Line 12 through Page 10, Line 34)
- Provides a merit step increase for noncontract employees of the State for FY 2010. (Page 9, Line 29)
- Directs the Department of Administrative Services to conduct a job evaluation study of State employees by providing a job evaluation questionnaire to a randomly selected sample of employees within a particular classification to determine if employees are classified and assigned at an appropriate pay grade. (Page 10, Line 35)
- Prohibits bonus pay in FY 2010 for all Executive, Judicial, and Legislative Branch employees unless permitted by law or required by a collective bargaining agreement. Defines “bonus pay.” (Page 11, Line 24)
- Requires the Department of Administrative Services (DAS) to consult with the Department of Management (DOM) to implement and maintain a policy to increase the span of control for Executive Branch agencies, excluding the Board of Regents, the Department of Human Services, and Community-Based Corrections (CBC), using a base period date of July 1, 2008, and full implementation by July 1, 2011. The DAS is required to issue an interim report to the Governor and the General Assembly by April 1, 2010, and a final report by April 1, 2011, regarding the composition of the workforce, cost savings, government efficiency, and outcomes. Requires the DAS to evaluate the State’s job classification system for the Executive Branch and requires interim reports to the General Assembly by January 15, 2010, and January 14, 2011, concerning progress in completing the evaluation. (Page 13, Line 12)
- Corrects various provisions of enacted or pending legislation by making technical corrections. (Page 15, Line 14 through Page 22, Line 18)
- Makes increases to a series of court-related fees, estimated to generate an additional \$16.7 million in revenue for the General Fund in FY 2010. The increase in the Criminal Penalty Surcharge is also estimated to generate approximately \$109,000 for the Victim Compensation Fund and \$34,000 for county and local governments. (Page 22, Line 26 through Page 25, Line 14)

***DIVISION IV – CORRECTIVE
PROVISIONS***

***DIVISION V – JUDICIAL BRANCH
FEES AND APPROPRIATIONS***

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 478
STANDING APPROPRIATIONS BILL**

***DIVISION V – JUDICIAL BRANCH
FEES AND APPROPRIATIONS
(CONTINUED)***

***DIVISION VI – TRANSPORTATION
PROVISIONS***

***DIVISION VII – MISCELLANEOUS
APPROPRIATIONS***

- Increases the FY 2010 General Fund appropriation to the Judicial Branch in SF 472 (FY 2010 Judicial Branch Appropriations Bill) by \$11.0 million. (Page 25, Line 15)
- Increases the FY 2010 General Fund appropriations for Community-Based Corrections in SF 475 (FY 2010 Justice System Appropriations Bill) for Drug Courts by \$2.2 million. (Page 26, Line 13 through Page 27, Line 11)
- Increases the FY 2010 General Fund appropriation to the Department of Public Safety in SF 475 by \$1.6 million. (Page 27, Line 22)
- Increases the FY 2010 General Fund appropriation to the Office of Attorney General for Victim Assistance Grants in SF 475 by \$1.0 million. (Page 27, Line 32)
- Appropriates \$2.3 million from the Primary Road Fund for FY 2009 (supplemental) to the Department of Transportation (DOT) for the purchase of salt. (Page 28, Line 30)
- Changes the timeframes for eligibility for a temporary restricted driver's license following a revocation for operating while intoxicated. (Page 29, Line 33)
- Eliminates the \$6.3 million appropriation for FY 2010 in SF 470 (FY 2010 Education Appropriations Bill) to the Center for Disabilities and Development at the University of Iowa. Increases the FY 2010 appropriation in HF 811 (FY 2010 Health and Human Services Appropriation Bill) for the Medicaid Program for Disproportionate Share Hospitals by \$4.3 million. The appropriation for Disproportionate Share Hospitals draws a federal match of 63.3% and increases total funding by \$11.8 million. (Page 31, Line 31)
- Appropriates \$681.9 million from the General Fund to the Medicaid Program for FY 2010. This is an increase of \$4.3 million compared to the appropriation in HF 811 (FY 2010 Health and Human Services Appropriations Bill). (Page 32, Line 8)
- Allocates \$7.0 million of the FY 2010 General Fund appropriation to Medicaid for the State match for the disproportionate share hospital payment of \$19.1 million. This is an increase of \$3.3 million compared to the FY 2009 allocation. The increase will draw an additional \$11.8 million of federal funding in FY 2010. (Page 32, Line 20)
- Appropriates \$2.0 million from the General Fund for FY 2010 to the Iowa College Student Aid Commission for the Iowa Tuition Grant Program. (Page 33, Line 15)
- Appropriates \$2.5 million from the General Fund for FY 2010 to the Department of Revenue for salaries and support of FTE positions. (Page 33, Line 30)
- Appropriates \$4.0 million from the General Fund for FY 2010 for deposit in the Iowa Power Fund. (Page 34, Line 21)

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 478
STANDING APPROPRIATIONS BILL**

***DIVISION VII – MISCELLANEOUS
APPROPRIATIONS (CONTINUED)***

***DIVISION VIII – MISCELLANEOUS
STATUTORY CHANGES***

- Appropriates \$1.5 million from the General Fund for FY 2010 for commercial service airport infrastructure. (Page 34, Line 28)
- Appropriates \$2.2 million from the General Fund for FY 2009 (supplemental) to the Office of the State Public Defender for the Indigent Defense Program. (Page 36, Line 7)
- Requires the Governing Board of the County Land Record Information System to terminate the project manager contract if SF 465 (County Identity Theft Protection Bill) is enacted. Requires the Governing Board to initiate a new request for proposals for a project manager. (Page 36, Line 22)
- Transfers portions of the Glenwood Resource Center that have archeological significance from the Department of Human Services to the Department of Natural Resources. The State Preserves Advisory Board will assess the area and make recommendations for the establishment of the Glenwood State Preserve. (Page 36, Line 34)
- Eliminates the requirement that a veteran be a resident of the State for preference for certain employment and appointments. (Page 40, Line 1)
- Includes a place of business in the State and an employee domiciled in this State as factors when determining eligibility for workers' compensation when an injury occurs outside of Iowa. (Page 40, Line 16)
- Provides additional workers' compensation benefits when benefits are unreasonably denied, delayed in payment, or terminated. (Page 40, Line 22)
- Increases the maximum number of weeks from 26 to 52 for the duration of a shared work unemployment compensation plan. (Page 42, Line 9)
- Increases the maximum payout allowed from a mechanical or amusement device from \$5.00 to \$50.00. (Page 42, Line 25)
- Makes the following changes for the sale of ethanol blended gasoline and biodiesel fuel: (Page 43, Line 28 through Page 44, Line 31; Page 51, Line 15)
 - Requires biodiesel fuel be labeled with the volume percent of biodiesel added to the fuel.
 - Prohibits a person from falsely advertising biodiesel fuel.
 - Requires a wholesale dealer selling ethanol blended gasoline or biodiesel fuel to provide a statement to the purchaser indicating the designation of the fuel.
 - Requires motor fuel pumps that sell ethanol blended gasoline or biodiesel fuel to have decals on the pumps identifying the product that is available for sale.
 - Requires a person transporting fuel to carry an invoice detailing the designation of blended ethanol fuel or blended biodiesel fuel.

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STANDING APPROPRIATIONS BILL**

***DIVISION VIII – MISCELLANEOUS
STATUTORY CHANGES
(CONTINUED)***

- Requires all veterans, not just residents of the State of Iowa, to be eligible for the additional percentage points for certain employment examinations and appointments. Limits the application of percentage preference points to only once to the final score used to rank for selection of an interview. (Page 46, Line 32)
- Removes the sales tax exemption from the casual sale of certain all-terrain and off-road vehicles.

FISCAL IMPACT: The estimated fiscal impact will be an increase in sales tax of \$556,000 in FY 2010 and \$575,000 in FY 2011 and future years. The General Fund impact is an increase in revenues of \$463,000 in FY 2010 and \$479,000 in FY 2011. The Secure an Advanced Vision for Education (SAVE) Fund impact is an increase in revenues of \$93,000 in FY 2010 and \$96,000 in FY 2011. (Page 49, Line 34)

- Requires the Utilities Board to establish a wind energy production tax credit pilot project. Requires the funding for the pilot project to be provided from the Wind Energy Production Tax Credit funding. (Page 54, Line 3)
- Requires a magistrate to be a licensed attorney permitted to practice law in Iowa. Any magistrate holding office before April 1, 2009, will be eligible for reappointment as a magistrate in the same county for a term commencing August 1, 2009, and subsequent successive terms. (Page 54, Line 32)
- Repeals the Livestock Production Tax Credit and standing appropriation. This will increase net General Fund revenue by \$2.0 million each fiscal year beginning in FY 2010. (Page 57, Line 23)
- Appropriates a total of \$710,000 from the General Fund for FY 2010 to the Department of Human Services, the Board of Regents, and the Department of Education to replace funds previously received through the standing appropriation for the Educational Excellence Program. Senate File 445 (Teacher Salary Integration Bill) eliminates the standing appropriation. (Page 59, Line 10 through Page 60, Line 6)
- Increases the FY 2009 General Fund appropriation to the Department of Education for the Student Achievement and Teacher Quality Program by \$559,000. (Page 60, Line 27)
- Requires the Area Education Agencies (AEAs) to submit an annual report by October 1 to the Department of Education regarding the following: (Page 61, Line 25)
 - Contracted salary, including bonuses, annuities, and other benefits for AEA administrators.
 - Contracted salary, benefits, costs for lobbyists and lobbying activities, and other expenses for support of governmental affair efforts.
- Changes the responsibility of filling and certifying judicial nominating officers from the Clerk of the Supreme Court to the State Court Administrator. (Page 62, Line 18 through Page 65, Line 18)

DIVISION IX – EDUCATION

***DIVISION X – JUDICIAL BRANCH –
COMMISSION ELECTIONS***

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**SENATE FILE 478
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***DIVISION XI – JUDICIAL OFFICER
VACANCIES***

***DIVISION XII – DISASTER
ASSISTANCE***

***DIVISION XIII – HEALTH AND
HUMAN SERVICES***

***DIVISION XIV – ECONOMIC AND
WORKFORCE DEVELOPMENT***

- Permits the Chief Justice to delay, for up to 180 days for budgetary reasons, the nominating process for any Supreme Court Justice, Court of Appeals Judge, District Court Judge, District Associate Judge, or Associate Juvenile or Probate Judge office that becomes vacant between enactment of this Section and June 30, 2010. (Page 65, Line 23)
- Reduces the FY 2009 Iowa Economic Emergency Fund appropriation to the Department of Human Services in HF 64 (Rebuild Iowa Omnibus II Bill) from \$10.0 million to \$7.9 million. (Page 67, Line 11)
- Appropriates \$1.2 million from the Iowa Economic Emergency Fund for FY 2009 to the Rebuild Iowa Office. Requires the Office to distribute the funds to certain cities impacted by the 2008 summer tornadoes. Specifies the recipient cities and amount per city. Permits remaining funds to be carried forward from FY 2009 to FY 2010. (Page 68, Line 2)
- Appropriates \$1.0 million from the Iowa Economic Emergency Fund for FY 2009 to the Rebuild Iowa Office (RIO) for area long-term recovery committees. Requires the RIO to distribute the funds in cooperation with the Department of Human Services. Permits remaining funds to be carried forward from FY 2009 to FY 2010. (Page 68, Line 35)
- Delays the implementation of the request for proposals (RFP) by the Department of Human Services for data mining and predictive modeling within the Iowa Medicaid Enterprise from July 1, 2009, to August 1, 2009, and the implementation date for a contract from August 31, 2009, to September 30, 2009. Also specifies that if the RFP demonstrates savings, the Department must enter into a contract. (Page 69, Line 24)
- Requires private health insurance regulated by the State to treat an admission to a Psychiatric Medical Institution for Children (PMIC) the same as an acute inpatient hospitalization if a child meets the Medicaid criteria for a PMIC admission. This is estimated to save the State \$234,000 in FY 2010. (Page 70, Line 16)
- Prohibits insurance plans providing third-party payment of cancer treatment from discriminating between coverage benefits for orally-administered cancer treatment drugs and intravenously-administered injections of cancer treatment medications. (Page 70, Line 32)
- Requires the Department of Economic Development to create a Disaster Assistance Loan and Credit Guarantee Program. Defines the businesses that qualify based on an impact from a disaster after May 24, 2008, and before August 14, 2008. Limits the amount of guarantee. Requires the Department to charge a nonrefundable application fee. Specifies the eligible businesses and guarantee criteria. (Page 72, Line 30 through Page 75, Line 15)

**EXECUTIVE SUMMARY
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**SENATE FILE 478
STANDING APPROPRIATIONS BILL**

***DIVISION XIV – ECONOMIC AND
WORKFORCE DEVELOPMENT
(CONTINUED)***

DIVISION XV – DATA CENTERS

***DIVISION XVI – CONTRACTOR
REGISTRATION***

***DIVISION XVII – CHILD CARE
REGULATORY FEE***

***DIVISION XVIII – AUTOMOBILE
RACETRACK FACILITIES***

- Creates a Disaster Assistance Loan and Credit Guarantee Fund in the State Treasury. Permits the Iowa Power Fund Board to allocate up to \$1,800,000 of the FY 2009 appropriation to the Power Fund for a Disaster Assistance Loan and Credit Guarantee Program. (Page 75, Line 16 through Page 76, Line 27)
- Establishes the 2009 Job Training Interim Study Committee to study and make recommendations to the General Assembly concerning job training needs in Iowa and the removal of any duplicative programs. (Page 76, Line 28)
- Provides sales/use tax and property tax incentives for eligible data center businesses that meet specified capital investment levels. Tax incentives and eligibility periods vary and are based on capital investment amounts. The fiscal impact is unknown. See the [Fiscal Note to HF 824 \(Data Processing Tax Exemption Bill\)](#) for further analysis. (Page 79, Line 6 through Page 86, Line 25)
- Increases the contractor registration fee from \$25 every two years to \$50 every year. This is estimated to increase fee revenue by \$675,000. Strikes the provision that the fees be deposited in the General Fund. This is estimated to decrease General Fund revenue by \$225,000 per year. (Page 86, Line 31)
- Creates a Contractor Registration Revolving Fund under the administration of the Labor Commissioner. (Page 87, Line 11)
- Implements a regulatory fee for licensure of child care facilities. Requires the Department of Human Services (DHS) to phase in annual inspection of all child development homes by FY 2014. Establishes the Child Care Facility Fund. (Page 88, Line 12 through Page 90, Line 4)
- Requires federal background checks of providers for licensure of child care facilities. (Page 90, Line 5)
- Implements a voluntary licensing program under DHS for child development homes on or after FY 2011. Directs the DHS and other specified groups to submit a plan to assist child care providers with licensure requirements to the General Assembly by December 15, 2010. (Page 92, Line 16)
- Modifies a requirement that the Newton racetrack be owned at least 60.0% by Iowa residents to receive a special sales tax rebate. Changes the required ownership percentage to 25.0%. (Page 94, Line 7)

FISCAL IMPACT: Under current law, the special sales tax rebate available to the Newton racetrack will be void if the facility is sold (Section 423.4(5)(c)(4), [Code of Iowa](#)). Therefore, if the facility is sold and continues to operate, annual net General Fund revenue will increase approximately \$500,000 since the special sales tax rebate will no longer apply. This provision allows the sales tax rebate to continue as long as the Iowa ownership percentage is 25.0% or higher. The fiscal impact of the provision is an annual net General Fund revenue reduction of \$500,000, effective the date of the sale.

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**SENATE FILE 478
STANDING APPROPRIATIONS BILL**

DIVISION XIX – HUNTING

***DIVISION XX – NONPROFIT YOUTH
ATHLETIC GROUPS***

DIVISION XXI – MAGISTRATES

***DIVISION XXII – METHANE GAS
CONVERSION PROPERTY***

***DIVISION XXIII – CITY FRANCHISE
FEES AND CITY UTILITIES***

***DIVISION XXIV – REPORTS OF
REFUND CLAIMS***

EFFECTIVE DATES

- Increases the nonresident hunting license fees. The increases are estimated to generate \$1.7 million annually for the Fish and Game Trust Fund. (Page 95, Line 22)
- Adds organizations that provide athletic activities to youth to the list of nonprofit youth athletic groups that qualify for sales tax exemptions and makes the provision retroactive to July 1, 1998. Limits total sales tax refunds to \$50,000. (Page 96, Line 32 through Page 98, Line 6)
- Requires the State Court Administrator to give notice by March of each year to the Clerks of District Court and to the Chief Judges of the judicial districts regarding the number of magistrates apportioned to each county. If the State Court Administrator does not give notice by March of each year, the existing apportionment will remain in effect through the succeeding magistrates' term, and any apportionment is void until the succeeding term expires. (Page 98, Line 14)
- Exempts all property that converts methane gas to electricity or other energy from regular property tax. To qualify for the exemption, the property must be first placed in service on or after January 1, 2008, but before January 1, 2013. The exemption is for four years.

FISCAL IMPACT: Exempting property value from taxation reduces property tax revenue to local governments and increases State General fund expenditures through the school aid formula. The total value exempted by this provision is not known, but for each \$50.0 million in taxable value exempted, the projected reduction in local revenue is \$161,000 per year and the projected increase in State General Fund expenditures is \$27,000 per year. The impact begins FY 2010. (Page 98, Line 34 through Page 100, Line 1)

- Permits a city to base a franchise fee on the percentage of gross revenues from the sales of the franchisee not to exceed 5.0%. (Page 100, Line 12)
- Requires a city to establish a franchise fee account within the city's general fund for franchise fees collected based on a percentage of gross revenues from the sales of the franchisee and to deposit the generated fees in the account. (Page 101, Line 24)
- Requires the Department of Revenue to issue an annual report for various research activities tax credit refunds. Specifies criteria for the reports. (Page 103, Line 4 through Page 104, Line 2)
- The following Sections are effective on enactment:
 - Property Tax Credit Fund. (Page 6, Line 35)
 - Federal Economic Stimulus and Jobs Holding Account. (Page 7, Line 3)
 - Senate File 445 (Teacher Salary Integration Act). (Page 22, Line 19)
 - Judicial Branch fees and appropriations. (Page 28, Line 18)
 - Supplemental Primary Road Fund appropriation to the Department of Transportation for salt. (Page 30, Line 15)

**EXECUTIVE SUMMARY
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**SENATE FILE 478
STANDING APPROPRIATIONS BILL**

EFFECTIVE DATES (CONTINUED)

- Fiscal Year 2009 General Fund supplemental appropriation for the Indigent Defense Program. (Page 36, Line 15)
- County Land Record Information System. (Page 57, Line 26)
- Property Rights Defense. (Page 57, Line 29)
- Property tax exemption filings. (Page 58, Line 2)
- Refund of property taxes. (Page 58, Line 13)
- Student Achievement and Teacher Quality FY 2009 appropriation. (Page 62, Line 13)
- Disaster Assistance. (Page 69, Line 19)
- Medicaid Enterprise study. (Page 72, Line 22)
- Family Planning Services funding nonreversion. (Page 72, Line 25)
- Microenterprise Community Development Grant carryforward. (Page 78, Line 33)
- Disaster Assistance Loan and Credit Guarantee Program. (Page 79, Line 1)
- Nonresident hunting license fee increases. (Page 96, Line 27)
- City Franchise Fees and City Utilities. (Page 102, Line 34)

***EFFECTIVE DATES AND FUTURE
AND RETROACTIVE APPLICABILITY***

- The following Sections are effective on enactment or on the date specified:
 - Iowa Veterans Home Federal Construction Funds Transfer; retroactive to July 1, 2008. (Page 7, Line 7)
 - Repeal of Livestock Tax Credit; retroactive to November 1, 2008, for refund claims filed on or after that date. (Page 57, Line 32)
 - Failure to pay estimated tax; retroactive to January 1, 2009, for tax years beginning on or after that date. (Page 58, Line 9)
 - Endow Iowa Tax Credit; effective January 1, 2010, and applies to the tax years beginning on or after that date. (Page 58, Line 6)
 - Miscellaneous tax provisions; retroactive to January 1, 2008, for tax years beginning on or after that date. (Page 58, Line 16)
 - Division X (Judicial Branch Commission elections); effective February 10, 2010. (Page 65, Line 19)

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***EFFECTIVE DATES AND FUTURE
AND RETROACTIVE APPLICABILITY
(CONTINUED)***

***FUTURE REPEAL
ENACTMENT DATE***

- Delay in judicial appointments for magistrate offices; retroactive to March 16, 2009. (Page 66, Line 15)
- Sale and use tax refunds for certain data centers effective for tax paid on or after July 1, 2009. (Page 86, Line 26)
- Sales tax exemption for nonprofit youth athletic groups; retroactive to July 1, 1998. (Page 98, Line 7)
- Notice of apportionment of Magistrates; retroactive to January 1, 2009. (Page 98, Line 27)
- Methane gas conversion; retroactive to January 1, 2008. (Page 100, Line 2)
- Repeals the Department of Commerce Revolving Fund on July 1, 2011. (Page 55, Line 6)
- This Bill was approved by the General Assembly on April 26, 2009.

Senate File 478

Senate File 478 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
2	16	4	Nwthstnd	Sec. Various	Standing Appropriation Requirements
3	23	5	Nwthstnd	Sec. 257.20	Standing Appropriation for Instructional Support
4	26	9.1(c)	Nwthstnd	Sec. 8.56(3 and 4)	Property Tax Credit Fund Appropriation Cap
4	31	9.1(d)	Nwthstnd	Sec. 8.33	FY 2009 Property Tax Credit Fund Transfer
6	24	12	Nwthstnd	Sec. 8.56 and ALL	Cash Reserve Fund Exemption from Expenditure Limitation
6	28	13	Nwthstnd	Sec. 8.57(1)(a)	Cash Reserve Fund Appropriation Exemption
6	33	14	Repeals	Sec. 331.660	Repeals Appropriation for Indian Settlement Officer
13	12	27	Adds	Sec. 8A.402(2)(g)	Supervisor-Staff Ratio
15	7	28	Amends	Sec. 21, Senate File 475	Strikes Supervisor-Staff Ratio Language
15	16	29	Amends	Sec. 26, SF 376, 2009 Iowa Acts	Technical Correction - Iowa Jobs Program
16	4	30	Amends	Sec. 3, SF 477, 2009 Iowa Acts	Revenue Bond Debt Service Fund
16	10	31	Amends	Sec. 1, SF 437, 2009 Iowa Acts	Technical Correction - Annual Appropriation Bonds
16	16	32	Amends	Sec. 2, SF 437, 2009 Iowa Acts	Technical Correction - Levee District
16	34	33	Amends	Sec. 1, HF 762, 2009 Iowa Acts	Technical Correction - Reserve Peace Officer Training
17	10	34	Amends	Sec. 2, HF 720, 2009 Iowa Acts	Technical Correction - Iowa Occupational Safety and Health Voluntary Protection Program
17	18	35	Amends	Sec. 1, HF 315, 2009 Iowa Acts	Technical Correction - Cooperative Extension Service Name
17	23	36	Amends	Sec. 321A.1(3)	Technical Correction - Appellate Procedure Rule

Page #	Line #	Bill Section	Action	Code Section	Description
18	6	37	Amends	Sec. 1, SF 374, 2009 Iowa Acts	Technical Correction - Operating Record Certified Abstract
18	22	38	Amends	Sec. 5, HF 260, 2009 Iowa Acts	Technical Correction - Hospital Tax Levy
19	8	39	Amends	Sec. 7, SF 322, 2009 Iowa Acts	Technical Correction - Sales Tax Rebate
19	18	40	Amends	Sec. 533.329(2)(m)	Technical Correction - Redevelopment Tax Credit Provisions
19	23	41	Amends	Sec. 2, SF 311, 2009 Iowa Acts	Technical Correction - Money Exchanges
19	31	42	Amends	Sec. 30, SF 355, 2009 Iowa Acts	Technical Correction - Registered Mortgage Loan Originators
20	1	43	Amends	Sec. 30, SF 355, 2009 Iowa Acts	Technical Correction - Mortgage Loan Originator Licensing
20	7	44	Amends	Sec. 36, SF 288, 2009 Iowa Acts	Technical Correction - Quitclaim Fee
20	15	45	Amends	Sec. 1, SF 320, 2009 Iowa Acts	Technical Correction - Charitable Trusts
20	28	46	Amends	Sec. 12, SF 365, 2009 Iowa Acts	Technical Correction - Surviving Spouse Trusts
21	9	47	Amends	Sec. 915.86(8 and 12)	Technical Correction - Victim Counseling Reimbursement
21	31	48	Amends	Sec. 9, SF 197, 2009 Iowa Acts	Technical Correction - Unemployment Benefits
22	4	49	Amends	Sec. 17(5), SF 364, 2009 Iowa Acts	Technical Correction - Real Estate Mortgage Judgments
22	10	50	Amends	Sec. 10, SF 445, 2009 Iowa Acts	Technical Correction - Phase II Repeal Effective Date
22	13	51	Repeal	Sec. 82, SF 446	Technical Correction - Grain Indemnity Fund in Code Editor's Act
22	15	52	Repeals	Sec. 95 and 96, SF 446	Repeal of Certain Dependent Adult Exploitation Definitions
22	26	54	Amends	Sec. 601.8105(1)(a)	Court Filing and Docketing Fees
23	6	55	Amends	Sec. 602.8105(1)(aa)	Marriage and Domestic Relations Filing Fees
23	11	56	Amends	Sec. 602.8105(1)(b)	Marriage Dissolution Modification Fee

Page #	Line #	Bill Section	Action	Code Section	Description
23	18	57	Amends	Sec. 602.8105(1)(cc)	Adoption Petition Fee Technical Change
23	26	58	Amends	Sec. 602.8105(1)(e)	Small Claims Judgment Appeal and Writ of Error Filing Fees
23	33	59	Amends	Sec. 602.8105(2)(a and b)	Mechanic and Statutory Lien Fees
24	3	59	Amends	Sec. 602.8105(2)(c)	Court Records Certification Fee
24	7	59	Amends	Sec. 602.8105(2)(d)	Real Estate Title Change Fee
24	9	60	Amends	Sec. 602.8105(2)(gg)	Lis Pendens Filing Fee
24	15	61	Amends	Sec. 602.8106(1)(b)	Certain Misdemeanor Fees
24	19	61	Amends	Sec. 602.8106(1)(d)	Scheduled Violation With a Court Appearance Fee
24	21	61	Amends	Sec. 602.8106(1)(e)	Scheduled Violation Without a Court Appearance Fee
24	23	61	Amends	Sec. 602.8106(1)(f)	Misdemeanor Appeal Fee
24	25	62	Amends	Sec. 625.8(2)	Court Reporter Fee
24	30	63	Amends	Sec. 631.6(1)(a)	Small Claims Court Fees
24	34	64	Amends	Sec. 633.31(2)(k), unnumbered paragraph 8	Probate Fee
25	5	65	Amends	Sec. 911.1(1)	Criminal Penalty Surcharge
25	15	66	Amends	Sec. 1(1), unnumbered paragraph 2, SF 472, 2009 Iowa Acts	FY 2010 Judicial Branch Additional Appropriation
28	30	73	Nwthstnd	Sec. 8.33	Carryforward of FY 2009 RUTF Supplemental Appropriation for Salt Purchase
29	8	74	Amends	Sec. 321H.3(2) as amended by SF 419, 2009 Iowa Acts	Vehicle Junking Certificates
29	31	77	Repeals	Sec. 307.45, unnumbered paragraph 4	Tax Assessment for Certain State Property
29	33	78	Amends	Sec. 321J.12(2)(d)	Delay in Temporary Restricted Driving License for Certain Revocations
31	31	83	Amends	Sec. 10.2(b), SF 470, 2009 Iowa Acts	FY 2010 Center for Disabilities and Development Appropriation
32	8	84	Amends	Sec. 9.12, HF 811, 2009 Iowa Acts	FY 2010 Medicaid Appropriation Increase
32	20	85	Amends	Sec. 9.12, HF 811, 2009 Iowa Acts	Disproportionate Share Hospital Payments

Page #	Line #	Bill Section	Action	Code Section	Description
33	7	85	Amends	Sec. 9.12, HF 811, 2009 Iowa Acts	Disproportionate Share Medicaid State Plan Amendment
33	24	87	Amends	Sec. 1, SF 467, 2009 Iowa Acts	Grape and Wine Institute FY 2010 Funding Transfer from the DALs
37	19	100	Nwthstnd	Sec. All	Disaster-Impacted Tax Filing Exemption
37	30	101	Adds	Sec. 7D.16	Capitol Complex Alcoholic Beverages Permission
38	15	102	Amends	Sec. 15.335(4)(b)	Internal Revenue Code Research Tax Credit Update
38	20	103	Amends	Sec. 15A.9(8)(e)(2)	Internal Revenue Code Research Tax Credit Update
38	25	104	Strikes	Sec. 15E.305(1)	Enterprise Zone Housing Assistance Tax Credit Repeal
38	27	105 and 106	Amends	Sec. 15E.305(1) and Sec. 15E.305(2) unnumbered paragraph 1	Endow Iowa Tax Credit Percentages and Annual Cap
39	26	107	Amends	Sec. 26.3(2)	Paper Copies for Certain Prospective Bidders for Governmental Entities
40	1	108	Amends	Sec. 1, SF 186, 2009 Iowa Acts	Veteran Preference
40	16	109	Amends	Sec. 85.71(1)(a)	Workers' Compensation Out-of-State Injury
40	22	110	Amends	Sec. 86.13	Workers' Compensation Payments
42	9	111	Amends	Sec. 96.40(2)(i)	Shared Work Unemployment Compensation Plan
42	14	112	Amends	Sec. 96.40(8)	Shared Work Unemployment Compensation Program
42	25	113	Amends	Sec. 99B.10(1)(a)	Amusement Device Prize Limit
42	33	114	Amends	Sec. 103.1(7A)	Electrician Licensure Definition
43	4	115	Amends	Sec. 103.22(2)	Farm Exemption for Electrician Licensure
43	16	116	Amends	Sec. 103.29	Farm Electrician Inspection County Fee Exception
43	20	117	Amends	Sec. 103.32	Electrical Inspection State Fee Waiver
43	28	118	Amends	Sec. 214A.2(5)	Biodiesel Fuel Label
43	34	119	Amends	Sec. 214A.3(2)(b)(2)	Biodiesel Fuel Advertising

Page #	Line #	Bill Section	Action	Code Section	Description
44	6	120	Amends	Sec. 214A.5	Wholesale Sale of Ethanol Blended Gasoline or Biodiesel Fuel
44	18	121	Amends	Sec. 214A.16(1)	Ethanol and Biodiesel Fuel Pump Decals
44	32	122	Amends	Sec. 321.105A(2)(c)(25)	Motorcycle Leased-Vehicle Registration Reference
45	7	123	Amends	Sec. 321.105A(3)(a)	Motorcycle Leased-Vehicle Registration Reference
45	21	124	Amends	Sec. 321.105A(5)(a)	Vehicle Dealer Registration Fee Collection Option
45	23	125	Amends	Sec. 321I.10(2)	All-Terrain Vehicle Roadway Operation
46	2	126	Amends	Sec. 331.907(2)	Board of Supervisors Compensation Optional Reduction Reference
46	22	127	Amends	Sec. 331.907(2A)	County Board of Supervisor Compensation Optional Reduction
46	32	128	Amends	Sec. 2, SF 186, 2009 Iowa Acts	Veterans Preference Percentage Points
47	22	129	Amends	Sec. 412.2(1)	Waterworks or Utility Certified Employee Organization Recognition
48	2	130	Amends	Sec. 412.3	Waterworks or Utility Certified Employee Organization Negotiation Requirement
48	13	131	Amends	Sec. 422.10(3)	Internal Revenue Code Research Tax Credit Update
48	17	132	Amends	Sec. 422.13(5)	Department of Revenue Director Duties - Composite Tax Returns
49	13	133	Amends	Sec. 422.33(5)(d)	Internal Revenue Code Update for Research Activities Tax Credit
49	19	134	Strikes	Sec. 422.33(9)	Assistive Device Tax Credit Repeal
49	21	135	Amends	Sec. 422.88(2 and 3)	Underpayment of Estimated Taxes Threshold
49	34	136	Amends	Sec. 423.3(39)	All-Terrain Vehicles Sales Tax Exemption Elimination
51	2	137	Amends	Sec. 423A.2(3)	Hotel/Motel Banquet Room Exemption
51	11	138	Strikes	Sec. 423A.5(1)(c)	Certain Governmental Rentals Hotel/Motel Tax Exemption Repealed
51	13	139	Strikes	Sec. 423A.5(2)(c)	Hotel/Motel Tax Exemption Repeal for Certain Rentals

Page #	Line #	Bill Section	Action	Code Section	Description
51	15	140	Amends	Sec. 452A.12(2)	Fuel Transportation Invoice Designation
51	30	141	Amends	Sec. 452A.74A (1, 2, and 5)	Dyed Fuel Use Penalty Increases
53	27	142	Amends	Sec. 466A.4(1)	Watershed Improvement Review Board Funding Eligibility
54	3	143	Adds	Sec. 476B.6A	Alternative Wind Energy Pilot Projects Tax Credits
54	24	144	Amends	Sec. 523I.316	Adverse Possession of Cemeteries
54	32	145	Strikes and Replaces	Sec. 602.6404(3)	Magistrate Law License to Practice
55	6	146	Adds	Sec. New, HF 809, 2009 Iowa Acts	Department of Commerce Revolving Fund Future Repeal; Gubernatorial Order Compliance
55	22	147	Amends	Sec. 33 and 37, HF 722, 2009 Iowa Acts	Hunting Preference Points Effective Date
55	29	148	Repeals	Sec. 1, SF 415, 2009 Iowa Acts	Property Rights Defense Account
56	22	149 and 150	Amends	Sec. 29, Chapter 186, 2007 Iowa Acts	Charitable Organization Property Tax Refunds
57	22	151	Repeal	Sec. 422.11E	Assistance Device Tax Credit Repeal
57	23	152	Repeals	Sec. 422.120-122	Livestock Production Tax Credit Repeal
60	27	158	Amends	Sec. 59, Chapter 108, 2007 Iowa Acts	FY 2009 Student Achievement and Teacher Quality Program Appropriation
61	25	161	Amends	Sec. 273.3	Area Education Agency Contract Information
62	18	164	Amends	Sec. 46.7	State Court Administrator Nominating Commission Duty
62	33	165	Amends	Sec. 46.7	State Court Administrator Nominating Commissioner Duty
63	16	166	Amends	Sec. 46.8	State Court Administrator Nominating Commission Duty
63	26	167	Amends	Sec. 46.9	Judicial Nominating Commissioner Voting
64	5	168	Amends	Sec. 46.9A	State Court Administrator Nominating Commission Duty
64	25	169	Amends	Sec. 46.10	State Court Administrator Nominee Receipt Duty

Page #	Line #	Bill Section	Action	Code Section	Description
65	11	170	Amends	Sec. 46.11	State Court Administrator Commissioner Certification Duty
65	23	172	Amends	Sec. 54, HF 414, 2009 Iowa Acts	Extension of Filling Court Vacancies Deadline
66	22	174	Amends	Sec. 1.2(b), HF 64, 2009 Iowa Acts	Prioritization for FY 2009 EEF Jumpstart Housing Funds
67	11	175	Amends	Sec. 4.1, HF 64, 2009 Iowa Acts	Unmet Needs Disaster Grant EEF FY 2009 Appropriation Reduction
67	22	176	Amends	Sec. 4(6), HF 64, 2009 Iowa Acts	Area Long-Term Recovery Committee Administrative Expenditure Reimbursement
68	2	177	Nwthstnd	Sec. 8.33 and 8.55	Carryforward of FY 2009 EEF Appropriation
68	35	178	Nwthstnd	Sec. 8.33 and 8.55	Carryforward of EEF FY 2009 Appropriation
70	16	182	Amends	Sec. 135H.3	Third Party Payer Coverage for PMIC Treatment
70	32	183	Adds	Sec. 514C.24	Third Party Payer Cancer Treatment Coverage
71	34	184	Amends	Sec. 29, Chapter 1187, 2008 Iowa Acts	Family Planning FY 2009 Appropriation Carryforward
72	7	185	Amends	Sec. 40.2, HF 811, 2009 Iowa Acts	Pharmacy-Related Interim Committee Membership
77	13	189	Amends	Sec. 15.421(2)	Generation Iowa Commission Membership
77	19	190	Strikes and Replaces	Sec. 15.421(4)	Generation Iowa Commission Membership
77	29	191	Amends	Sec. 15.421(5)(b and c)	Generation Iowa Commission Duties
78	2	192	Amends	Sec. 15.421(5)	Generation Iowa Commission Meetings
78	6	193	Adds	Sec. 15E.70	Certain Investment Corporations Financial Statements
78	12	194	Amends	Sec. 15.2, SF 469	Worker Compensation Case Filing Fee Increase
78	25	195	Amends	Sec. 18, Chapter 1178, 2008 Iowa Acts	Microenterprise Community Development Grants Carryforward
79	6	197	Amends	Sec. 423.3(95)	Data Center Business Tax Exemptions
81	7	198	Amends	Sec. 423.4(8)	Data Center Business Tax Refunds
83	16	199	Amends	Sec. 423.4(9)	Data Center Property Sales and Tax Refund
86	1	200	Amends	Sec. 427.1(37)	Data Center Property Tax Exemption
86	31	203	Amends	Sec. 91C.4	Contractor Registration Fee Increase

Page #	Line #	Bill Section	Action	Code Section	Description
87	3	204	Amends	Sec. 91C.7(2)(b)	Out-of-State Contractor Bond Fee Period
87	11	205	Adds	Sec. 91C.9	Contractor Registration Revolving Fund
88	12	208	Amends	Sec. 237A.4A	Child Care Regulations and Fee
90	5	209	Amends	Sec. 237A.5(2)(b and c)	Child Care Provider Licensure Requirements and Future Repeal
94	7	211 and 212	Amends	Sec. 423.4(5)(a)(2, 3, and 4) and 423.4(5)(c)(4)	Racetrack Ownership Sales Tax Rebate
95	8	213	Amends	Sec. 481A.21	Live Pigeon Hunting Preserve
95	22	214	Amends	Sec. 483A.1(2)(c-g)	Nonresident Hunting License Fees
96	5	215	Amends	Sec. 438A.1(2)	Nonresident Antlerless Deer Holiday Hunting License Fee
96	10	216	Amends	Sec. 438A.8(6)	Nonresident Antlerless Deer Hunting License Fee
96	32	218	Amends	Sec. 423.3(78)	Nonprofit Youth Athletic Tax Exemption
98	14	221	Amends	Sec. 602.6401(4)	Number of Magistrates in District Courts
98	34	223	Amends	Sec. 427.1(29)(a)	Methane Gas Conversion Property
99	16	224	Amends	Sec. 427.1(29)	Methane Gas Conversion Property Limitations
99	26	225	Amends	Sec. 437A.6(1)(d)	Methane Gas Conversion Property Exemption
100	2	227	Nwthstnd	Sec. 427.1(29)(c)	Methane Gas Conversion Claims Deadline
100	12	228	Amends	Sec. 364.2(4)(f)	City Franchise Fee Limitation
101	7	229	Amends	Sec. 364.1(10)	Municipal Utility Right-of-Way
101	24	230	Adds	Sec. 384.3A	Franchise Fee Account and Revenues
103	4	232	Adds	Sec. 15.335	Research Tax Credits Report
103	16	233	Adds	Sec. 422.10(6)	Research Tax Credits Report
103	27	234	Adds	Sec. 422.33(5)(h)	Research Tax Credits Report

1 1 DIVISION I
 1 2 MH/MR/DD SERVICES ALLOWED
 1 3 GROWTH FUNDING == FY 2010=2011

1 4 Section 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND
 1 5 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH APPROPRIATION AND
 1 6 ALLOCATIONS == FISCAL YEAR 2010=2011.

1 7 1. There is appropriated from the general fund of the
 1 8 state to the department of human services for the fiscal year
 1 9 beginning July 1, 2010, and ending June 30, 2011, the
 1 10 following amount, or so much thereof as is necessary, to be
 1 11 used for the purpose designated:

1 12 For distribution to counties of the county mental health,
 1 13 mental retardation, and developmental disabilities allowed
 1 14 growth factor adjustment for fiscal year 2010=2011:
 1 15 \$ 62,157,491

1 16 2. The amount appropriated in this section shall be
 1 17 allocated as provided in a later enactment of the general
 1 18 assembly.

1 19 DIVISION II
 1 20 STANDING APPROPRIATIONS
 1 21 AND RELATED MATTERS

1 22 Sec. 2. BUDGET PROCESS FOR FISCAL YEAR 2010=2011.
 1 23 1. For the budget process applicable to the fiscal year
 1 24 beginning July 1, 2010, on or before October 1, 2009, in lieu
 1 25 of the information specified in section 8.23, subsection 1,
 1 26 unnumbered paragraph 1, and paragraph "a", all departments and
 1 27 establishments of the government shall transmit to the
 1 28 director of the department of management, on blanks to be
 1 29 furnished by the director, estimates of their expenditure
 1 30 requirements, including every proposed expenditure, for the
 1 31 ensuing fiscal year, together with supporting data and
 1 32 explanations as called for by the director of the department

General Fund appropriation for FY 2011 for the Mental Health Allowed Growth.

DETAIL: This is an increase of \$8,048,721 compared to the FY 2010 Mental Health Allowed Growth appropriation in HF 811 (FY 2010 Health and Human Services Appropriations Bill). This represents a 3.00% increase in the growth factor formula.

Requires State agencies to submit the FY 2011 budget information to the Department of Management (DOM) and include all proposed expenditures, supporting data, and explanations. Requires the Director of the DOM to consult with the Legislative Services Agency regarding supporting data. Requires expenditures to be prioritized by program or by results expected to be achieved. Requires performance measures to be included.

1 33 of management after consultation with the legislative services
1 34 agency.
1 35 2. The estimates of expenditure requirements shall be in a
2 1 form specified by the director of the department of
2 2 management, and the expenditure requirements shall include all
2 3 proposed expenditures and shall be prioritized by program or
2 4 the results to be achieved. The estimates shall be
2 5 accompanied by performance measures for evaluating the
2 6 effectiveness of the programs or results.

2 7 Sec. 3. GENERAL ASSEMBLY.

2 8 1. The appropriations made pursuant to section 2.12 for
2 9 the expenses of the general assembly and legislative agencies
2 10 for the fiscal year beginning July 1, 2009, and ending June
2 11 30, 2010, are reduced by the following amount:

2 12 \$ 4,439,653

2 13 2. The budgeted amounts for the general assembly for the
2 14 fiscal year beginning July 1, 2009, may be adjusted to reflect
2 15 unexpended budgeted amounts from the previous fiscal year.

Reduces the FY 2010 standing appropriation for the General Assembly and legislative agencies by \$4,439,653. Requires an adjustment for the FY 2009 unspent balance.

DETAIL: The General Assembly's FY 2010 budget is estimated at \$37,843,767. This Bill reduces the FY 2010 budget to \$33,404,114. This represents a reduction of \$2,764,942 compared to the FY 2009 estimated net appropriation.

2 16 Sec. 4. LIMITATION OF STANDING APPROPRIATIONS.

2 17 Notwithstanding the standing appropriations in the following
2 18 designated sections for the fiscal year beginning July 1,
2 19 2009, and ending June 30, 2010, the amounts appropriated from
2 20 the general fund of the state pursuant to these sections for
2 21 the following designated purposes shall not exceed the
2 22 following amounts:

CODE: Limits the following standing appropriations to a specified maximum:

2 23 1. For payment for nonpublic school transportation under
2 24 section 285.2:

2 25 \$ 7,845,479

2 26 If total approved claims for reimbursement for nonpublic
2 27 school pupil transportation exceed the amount appropriated in
2 28 accordance with this subsection, the department of education
2 29 shall prorate the amount of each approved claim.

Caps the FY 2010 nonpublic school transportation General Fund appropriation at \$7,845,479. Requires proration if the claims exceed the appropriation.

DETAIL: This is a decrease of \$630,164 compared to the estimated FY 2009 appropriation.

2 30	2. For the state's share of the cost of the peace	Caps the State share of the FY 2010 peace officer retirement benefits
2 31	officers' retirement benefits under section 411.20:	at \$2,503,510.
2 32 \$ 2,503,510	
		DETAIL: This is a decrease of \$201,087 compared to the estimated
		net FY 2009 expenditure. This funds 1.12% of the total contributions
		in lieu of the 1.23%.
2 33	3. For operational support grants and community cultural	Caps the wagering tax revenue allocation for operational support
2 34	grants under section 99F.11, subsection 3, paragraph "e",	grants and community cultural grants at \$452,783.
2 35	subparagraph (1):	
3 1 \$ 452,783	DETAIL: This is a decrease of \$59,417 compared to the estimated
		net FY 2009 appropriation and a decrease of \$67,217 compared to
		the standing allocation from wagering tax revenue of \$520,000.
3 2	4. For regional tourism marketing under section 99F.11,	Caps the wagering tax revenue allocation for regional tourism
3 3	subsection 3, paragraph "e", subparagraph (2):	marketing at \$957,809.
3 4 \$ 957,809	
		DETAIL: This is a decrease of \$125,691 compared to the estimated
		net FY 2009 appropriation and compared to the standing allocation
		from wagering tax revenue of \$1,083,500.
3 5	5. For the Iowa power fund under section 469.10,	Caps the State General Fund appropriation to the Office of Energy
3 6	subsection 1:	Independence for the Iowa Power Fund at \$20,000,000
3 7 \$ 20,000,000	
		DETAIL: This is a decrease of \$4,625,000 compared to the estimated
		net FY 2009 appropriation and a decrease of \$5,000,000 compared to
		the standing appropriation of \$25,000,000.
		NOTE: Section 91 of this Bill provides an additional \$4,000,000
		General Fund appropriation for FY 2010 for the Office.
3 8	6. For the enforcement of chapter 453D relating to tobacco	Caps the FY 2010 General Fund appropriation to the Department of
3 9	product manufacturers under section 453D.8:	Revenue for financial obligation enforcement of tobacco product
3 10 \$ 21,768	manufacturers at \$21,768.
		DETAIL: This is a decrease of \$2,857 compared to the estimated net
		FY 2009 appropriation and a decrease of \$3,232 compared to the

standing appropriation of \$25,000.

3 11 7. For the center for congenital and inherited disorders
 3 12 central registry under section 144.13A, subsection 4,
 3 13 paragraph "a":
 3 14 \$ 182,044

Caps the FY 2010 General Fund appropriation to the Center for Congenital and Inherited Disorders Central Registry at \$182,044.

DETAIL: This is a decrease of \$14,622 compared to the estimated net FY 2009 appropriation and a decrease of \$50,456 compared to the expected revenues from half of the \$10.00 designated portion of the birth certificate fees.

3 15 8. For primary and secondary child abuse prevention
 3 16 programs under section 144.13A, subsection 4, paragraph "a":
 3 17 \$ 217,772

Caps the FY 2010 General Fund appropriation to Primary and Secondary Child Abuse Prevention Programs at \$217,772.

DETAIL: This is a decrease of \$15,139 compared to the estimated net FY 2009 appropriation and a decrease of \$14,728 compared to the expected revenues from half of the \$10.00 designated portion of the birth certificate fees.

3 18 9. For programs for at-risk children under section 279.51:
 3 19 \$ 11,493,891
 3 20 The amount of any reduction in this subsection shall be
 3 21 prorated among the programs specified in section 279.51,
 3 22 subsection 1, paragraphs "a", "b", and "c".

Caps the FY 2010 General Fund appropriation to Children At-Risk Programs at \$11,493,891.

DETAIL: This is a decrease of \$923,212 compared to the estimated net FY 2009 appropriation. This is a decrease of \$1,112,305 compared to the FY 2010 standing appropriation. The Child Development standing appropriation is set in Section 279.51, Code of Iowa at \$12,606,196.

3 23 Sec. 5. INSTRUCTIONAL SUPPORT STATE AID. Notwithstanding
 3 24 the standing appropriation provided under section 257.20, an
 3 25 appropriation from the general fund of the state to the
 3 26 department of education for the fiscal year beginning July 1,
 3 27 2009, and ending June 30, 2010, shall not be made for purposes
 3 28 of paying instructional support state aid.

CODE: Eliminates the FY 2010 standing General Fund appropriation for Instructional Support State aid. Specifies that no appropriation will be made in FY 2010.

FISCAL IMPACT: This is a reduction of \$14,211,847 compared to the estimated net FY 2009 General Fund Appropriation.

NOTE: Although no State General Fund appropriation was made for the Instructional Support Program for FY 2010, HF 820 (FY 2010

Federal Funds Appropriations Bill) included an appropriation of \$13,103,950 from the American Recovery and Reinvestment Act (ARRA) federal funding in FY 2010 for this Program.

3 29 Sec. 6. VETERANS HOME MEDICAL CLINIC. Of moneys received
3 30 on or after July 1, 2008, by the Iowa veterans home from the
3 31 federal government relating to the costs to improve and
3 32 renovate a medical clinic at the home in a previous fiscal
3 33 year, the first \$727,000 shall be credited to the general fund
3 34 of the state on or after July 1, 2009.

Requires matching funds from the federal Veterans Administration for the 100.00% State funds expended for improvements to the Medical Clinic at the Iowa Veterans Home to be credited to the State General Fund after July 1, 2009.

DETAIL: This is estimated to be \$727,000 from previous expenditures. The federal Veterans Administration matches 65.00% and the State portion is 35.00% of construction costs.

3 35 Sec. 7. FEDERAL ECONOMIC STIMULUS AND JOBS HOLDING
4 1 ACCOUNT.

4 2 1. Any unobligated moneys in the federal economic stimulus
4 3 and jobs holding account on July 1, 2009, shall be transferred
4 4 to the general fund of the state on July 1, 2009.

4 5 2. Unobligated moneys in the federal economic stimulus and
4 6 jobs holding account on the effective date of this section
4 7 shall not be obligated after the effective date of this
4 8 section.

4 9 3. This section shall not apply to moneys appropriated
4 10 from the federal economic stimulus and jobs holding account in
4 11 2009 Iowa Acts, Senate File 469, if enacted.

Requires all unobligated monies in the Federal Economic Stimulus and Jobs Holding Account to be transferred to the General Fund on July 1, 2010, with the exception of the \$144,000 FY 2010 appropriation from the Account made in SF 469 (FY 2010 Economic Development Appropriations Bill) that is allocated for Iowa's Councils of Government to provide planning and technical assistance to local governments.

DETAIL: The estimated transfer, including unobligated principal and interest, is \$12,343,459.

4 12 Sec. 8. IOWA MATHEMATICS AND SCIENCE COALITION. For the
4 13 fiscal year beginning July 1, 2009, the university of northern
4 14 Iowa shall maintain the efforts of the Iowa mathematics and
4 15 science coalition that were initiated pursuant to section
4 16 294A.25, subsection 11, Code 2009.

Requires the University of Northern Iowa to maintain the Iowa Mathematics and Science Coalition efforts.

DETAIL: In past years, the Mathematics and Science Coalition received a standing appropriation of \$47,000 from the Educational Excellence Program that was eliminated in SF 445 (Teacher Salary Integration Act).

4 17 Sec. 9. PROPERTY TAX CREDIT FUND == PAYMENTS IN LIEU OF

4 18 GENERAL FUND REIMBURSEMENT.

4 19 1. a. A property tax credit fund shall be created in the
4 20 office of the treasurer of state to be used for the purposes
4 21 of this section.

Creates a Property Tax Credit Fund within the Office of the Treasurer of State for FY 2010.

4 22 b. There is appropriated from the general fund of the
4 23 state to the property tax credit fund created in paragraph "a"
4 24 for the fiscal year beginning July 1, 2009, and ending June
4 25 30, 2010, the sum of \$101,395,597.

General Fund appropriation of \$101,395,597 for FY 2010 to the Property Tax Credit Fund.

DETAIL: This Section is effective on enactment.

4 26 c. Notwithstanding the requirements in section 8.56,
4 27 subsections 3 and 4, there is appropriated from the cash
4 28 reserve fund to the property tax credit fund created in
4 29 paragraph "a" for the fiscal year beginning July 1, 2009, and
4 30 ending June 30, 2010, the sum of \$54,684,481.

CODE: Cash Reserve Fund appropriation of \$54,684,481 for FY 2010 to the Property Tax Credit Fund.

4 31 d. Notwithstanding section 8.33, the surplus existing in
4 32 the property tax credit fund created pursuant to 2008 Iowa
4 33 Acts, chapter 1191, section 5, at the conclusion of the fiscal
4 34 year beginning July 1, 2008, and ending June 30, 2009, is
4 35 transferred to the property tax credit fund created in
5 1 paragraph "a".

CODE: Transfers the remaining funds in the FY 2009 Property Tax Credit Fund to the FY 2010 Property Tax Credit Fund.

DETAIL: There is an estimated \$3,788,886 remaining from the FY 2009 Property Tax Credit Fund that is expected to transfer to the FY 2010 Property Tax Credit Fund.

5 2 2. There is appropriated from the property tax credit fund
5 3 for the fiscal year beginning July 1, 2009, and ending June
5 4 30, 2010, the following amounts for the following designated
5 5 purposes:

Property Tax Credit Fund appropriations for FY 2010.

5 6 a. For reimbursement for the homestead property tax credit
5 7 under section 425.1:

Property Tax Credit Fund appropriation of \$100,658,781 for FY 2010 for the Homestead Property Tax Credit.

5 8 \$100,658,781

DETAIL: This is an increase of \$1,004,000 compared to the FY 2009 appropriation. The FY 2010 demand is projected to exceed the

appropriation by \$38,486,388.

5 9 b. For reimbursement for the family farm and agricultural
5 10 land tax credits under sections 425A.1 and 426.1:
5 11 \$ 34,610,183

Property Tax Credit Fund appropriation of \$34,610,183 for FY 2010 for the Agricultural Land and Family Farm Tax Credits.

DETAIL: Maintains the current level of funding. The FY 2010 demand is projected to exceed the appropriation by \$4,489,817.

5 12 c. For reimbursement for the military service tax credit
5 13 under section 426A.1A:
5 14 \$ 2,400,000

Property Tax Credit Fund of \$2,400,000 for FY 2010 for the Military Service Tax Credit.

DETAIL: This is a decrease of \$400,000 compared to the FY 2009 appropriation and fully funds the FY 2010 projected demand.

5 15 d. For implementing the elderly and disabled tax credit
5 16 and reimbursement pursuant to sections 425.16 through 425.39:
5 17 \$ 22,200,000

Property Tax Credit Fund appropriation of \$22,200,000 for FY 2010 for the Elderly and Disabled Tax Credit.

DETAIL: This is a decrease of \$1,004,000 compared to the FY 2009 appropriation and fully funds the FY 2010 projected demand.

5 18 If the director of revenue determines that the amount of
5 19 claims for credit for property taxes due pursuant to
5 20 paragraphs "a", "b", "c", and "d", plus the amount of claims
5 21 for reimbursement for rent constituting property taxes paid
5 22 which are to be paid during the fiscal year may exceed the
5 23 total amount appropriated, the director shall estimate the
5 24 percentage of the credits and reimbursements which will be
5 25 funded by the appropriation. The county treasurer shall
5 26 notify the director of the amount of property tax credits
5 27 claimed by June 8, 2009. The director shall estimate the
5 28 percentage of the property tax credits and rent reimbursement
5 29 claims that will be funded by the appropriation and notify the
5 30 county treasurer of the percentage estimate by June 15, 2009.
5 31 The estimated percentage shall be used in computing for each
5 32 claim the amount of property tax credit and reimbursement for

Requires the Director of the Department of Revenue to estimate the claims for property tax credits and reimbursement for rent constituting property taxes, using information the county treasurers are required to file by June 8, 2009, and identify the proration percentage if the claims are projected to exceed the appropriations. Requires the Director to notify the county treasurers of the proration percentage by June 15, 2009. If the Department's estimate is inadequate to pay the claims for rent reimbursement, the remaining claims are to receive priority and be paid in FY 2010. If there are excess funds after claims are paid, the remaining funds carry forward to FY 2011.

5 33 rent constituting property taxes paid for that fiscal year.
 5 34 If the director overestimates the percentage of funding,
 5 35 claims for reimbursement for rent constituting property taxes
 6 1 paid shall be paid until they can no longer be paid at the
 6 2 estimated percentage of funding. Rent reimbursement claims
 6 3 filed after that point in time shall receive priority and
 6 4 shall be paid in the following fiscal year.

6 5 Sec. 10. PERFORMANCE OF DUTY. There is appropriated from
 6 6 the cash reserve fund created in section 8.56 to the executive
 6 7 council for the fiscal year beginning July 1, 2009, and ending
 6 8 June 30, 2010, the following amount, or so much thereof as is
 6 9 necessary, to be used for the purposes designated:
 6 10 For performance of duty by the executive council in
 6 11 sections 7D.29 and 29C.20:
 6 12 \$ 25,600,000
 6 13 The funding from the appropriation made in this section
 6 14 shall be utilized before any funding from the general fund of
 6 15 the state.

Cash Reserve Fund appropriation of \$25,600,000 for FY 2010 to the Executive Council for Performance of Duty expenditures. Permits additional funds to be utilized from the General Fund if expenditures exceed the appropriation.

DETAIL: The Executive Council uses the Performance of Duty standing appropriation to fund emergency repairs of State agencies when the repairs exceed the amount of resources available in individual State agency budgets. The Contingent Fund is used by the Executive Council for funding disaster-related costs. This \$25,600,000 appropriation provides the funding for the State match requirements for Federal Emergency Management Agency (FEMA) funds that the State is receiving for the damages from the 2008 disasters.

6 16 Sec. 11. GENERAL FUND. There is appropriated from the
 6 17 cash reserve fund created in section 8.56 to the general fund
 6 18 of the state for the fiscal year beginning July 1, 2009, and
 6 19 ending June 30, 2010, the following amount:
 6 20 \$ 65,000,000
 6 21 The moneys appropriated in this section shall not be
 6 22 considered new revenues under section 8.54 for purposes of the
 6 23 state general fund expenditure limitation.

Cash Reserve Fund appropriation of \$65,000,000 for FY 2010 to the State General Fund.

Requires that the Cash Reserve Fund appropriation to the General Fund not be counted as new revenue for purposes of the expenditure limitation provisions.

DETAIL: Under Section 8.54, Code of Iowa, 95.00% of estimated new revenues can be appropriated. All other revenue can be appropriated at 99.00%.

6 24 Sec. 12. CASH RESERVE FUND APPROPRIATIONS. Section 8.56,
 6 25 subsections 3 and 4, shall not apply to any appropriation made
 6 26 in this division of this Act from the cash reserve fund

CODE: Exempts the FY 2010 appropriations from the Cash Reserve Fund from certain statutory requirements.

6 27 created in section 8.56.

DETAIL: Notwithstands statutory language that requires a Cash Reserve Fund appropriation to be used for nonrecurring emergency expenditures and requires that an appropriation not be made that would cause the Fund's balance to be less than 3.75% of the adjusted revenue estimate for the year the appropriation is made, unless approved by vote of at least three-fifths of the members of both chambers of the General Assembly and is signed by the Governor.

6 28 Sec. 13. CASH RESERVE FUND APPROPRIATION FOR FISCAL YEAR
6 29 2009=2010. For the fiscal year beginning July 1, 2009, and
6 30 ending June 30, 2010, the appropriation to the cash reserve
6 31 fund provided in section 8.57, subsection 1, paragraph "a",
6 32 shall not be made.

CODE: Eliminates the requirement for FY 2010 that a General Fund appropriation to the Cash Reserve Fund be made in the event the Cash Reserve Fund does not maintain a balance equal to 7.50% of the FY 2010 adjusted revenue estimate.

DETAIL: Under current law, if the Cash Reserve Fund balance is less than 6.50% of the adjusted revenue estimate, an appropriation from the General Fund equal to 1.00% of the adjusted revenue estimate is required. If the Cash Reserve Fund balance is more than 6.50% and less than 7.50% of the adjusted revenue estimate, the appropriation is the amount required to bring the Cash Reserve Fund balance to 7.50% of the adjusted revenue estimate.

6 33 Sec. 14. Section 331.660, Code 2009, is repealed.

CODE: Repeals the standing General Fund appropriation for an Indian Settlement Officer.

6 34 Sec. 15. EFFECTIVE DATES.

6 35 1. The section of this division of this Act creating the
7 1 property tax credit fund, being deemed of immediate
7 2 importance, takes effect upon enactment.

7 3 2. The section of this division of this Act transferring
7 4 moneys from the federal economic stimulus and jobs holding
7 5 account, being deemed of immediate importance, takes effect
7 6 upon enactment.

Specifies that the Sections enacting the following are effective on enactment:

- Creation of the Property Tax Credit Fund.
- Transfer of funds from the Federal Economic Stimulus and Jobs Holding Account to the General Fund.

7 7 Sec. 16. EFFECTIVE DATE AND RETROACTIVE APPLICABILITY.
7 8 The section of this division of this Act providing for

The Section requiring the deposit of federal Veterans Affairs construction funding to the General Fund for the medical clinic

7 9 crediting of certain moneys received by the Iowa veterans home
 7 10 to the general fund of the state, being deemed of immediate
 7 11 importance, takes effect upon enactment and is retroactively
 7 12 applicable to July 1, 2008, and is applicable on and after
 7 13 that date.

expenditures is effective on enactment and retroactive to July 1, 2008.

7 14 DIVISION III
 7 15 SALARIES, COMPENSATION, AND RELATED MATTERS

7 16 Sec. 17. APPOINTED STATE OFFICERS.

7 17 1. The governor shall establish a salary for appointed
 7 18 nonelected persons in the executive branch of state government
 7 19 holding a position enumerated in and within the salary ranges
 7 20 provided in 2008 Iowa Acts, chapter 1191, section 14, by
 7 21 considering, among other items, the experience of the
 7 22 individual in the position, changes in the duties of the
 7 23 position, the incumbent's performance of assigned duties, and
 7 24 subordinates' salaries. However, the attorney general shall
 7 25 establish the salary for the consumer advocate, the chief
 7 26 justice of the supreme court shall establish the salary for
 7 27 the state court administrator, the ethics and campaign
 7 28 disclosure board shall establish the salary of the executive
 7 29 director, and the Iowa public broadcasting board shall
 7 30 establish the salary of the administrator of the public
 7 31 broadcasting division of the department of education, each
 7 32 within the salary range provided in 2008 Iowa Acts, chapter
 7 33 1191, section 14.

Requires the Governor to determine the salary of most appointed nonelected persons in the Executive Branch for FY 2010. Permits the Governor to consider various factors to determine salaries.

In lieu of the Governor, the following are required to determine the FY 2010 salary within the FY 2009 salary range:

- The Attorney General for the salary of the Consumer Advocate.
- The Chief Justice of the Supreme Court for the salary of the State Court Administrator.
- The Ethics and Campaign Disclosure Board for the salary of the Executive Director.
- The Iowa Public Broadcasting Board for the salary of the Administrator of the Public Broadcasting Division of the Department of Education.

7 34 2. The governor, in establishing salaries as provided in
 7 35 this section, shall take into consideration other employee
 8 1 benefits which may be provided for an individual including but
 8 2 not limited to housing.

DETAIL: The FY 2010 salary ranges are maintained at the FY 2009 level. The cost will be determined by placement in the salary ranges. The minimum and maximum salary ranges for State officials are maintained at the FY 2009 levels. These include:

- Salary range 2 (\$48,160 - \$73,700)
- Salary range 3 (\$55,380 - \$84,750)
- Salary range 4 (\$63,690 - \$97,460)
- Salary range 5 (\$73,250 - \$112,070)
- Salary range 6 (\$84,240 - \$128,890)

- Salary range 7 (\$100,840 - \$154,300)

8 3 3. A person whose salary is established pursuant to this
 8 4 section and who is a full-time, year-round employee of the
 8 5 state shall not receive any other remuneration from the state
 8 6 or from any other source for the performance of that person's
 8 7 duties unless the additional remuneration is first approved by
 8 8 the governor or authorized by law. However, this provision
 8 9 does not exclude the reimbursement for necessary travel and
 8 10 expenses incurred in the performance of duties or fringe
 8 11 benefits normally provided to employees of the state.

Prohibits appointed nonelected employees from receiving additional remuneration from the State unless approved by the Governor or authorized by law.

8 12 Sec. 18. COLLECTIVE BARGAINING AGREEMENTS FUNDED. The
 8 13 various state departments, boards, commissions, councils, and
 8 14 agencies, including the state board of regents, for the fiscal
 8 15 year beginning July 1, 2009, and ending June 30, 2010, shall
 8 16 provide from available sources pay adjustments, expense
 8 17 reimbursements, and related benefits to fully fund the
 8 18 following:

Specifies the pay adjustments, reimbursements, and benefits for the following collective bargaining agreements:

DETAIL: The total estimated cost of FY 2010 salary increases is \$121,131,917. This includes \$67,600,383 from the General Fund and \$53,531,534 from other funds. Detail regarding the cost and negotiated settlements with each bargaining unit is outlined below.

8 19 1. The collective bargaining agreement negotiated pursuant
 8 20 to chapter 20 for employees in the blue collar bargaining
 8 21 unit.

American Federation of State, County, and Municipal Employees (AFSCME - Central and Community Based Corrections (CBCs))

8 22 2. The collective bargaining agreement negotiated pursuant
 8 23 to chapter 20 for employees in the public safety bargaining
 8 24 unit.

- Step increases of 4.50% for eligible employees during FY 2010.
- The State will match 100.00% of an employee's contribution to the Deferred Compensation Program up to a State share of \$75 per month (\$900 per year) effective July 1, 2009. This is an increase to the current State match rate of 50.00%.
- Delays health insurance increases for employees from January 1, 2010, to July 1, 2010.

8 25 3. The collective bargaining agreement negotiated pursuant
 8 26 to chapter 20 for employees in the security bargaining unit.

8 27 4. The collective bargaining agreement negotiated pursuant
 8 28 to chapter 20 for employees in the technical bargaining unit.

8 29 5. The collective bargaining agreement negotiated pursuant
 8 30 to chapter 20 for employees in the professional fiscal and
 8 31 staff bargaining unit.

FISCAL IMPACT: The estimated cost of the FY 2010 salary increases for these employees is \$23,902,895 from the General Fund and a total of \$39,789,422 from all funds.

8 32 6. The collective bargaining agreement negotiated pursuant
 8 33 to chapter 20 for employees in the clerical bargaining unit.

8 34 7. The collective bargaining agreement negotiated pursuant

Iowa United Professionals (IUP) - Social Services and Science

8 35 to chapter 20 for employees in the professional social
 9 1 services bargaining unit.
 9 2 8. The collective bargaining agreement negotiated pursuant
 9 3 to chapter 20 for employees in the community-based corrections
 9 4 bargaining unit.
 9 5 9. The collective bargaining agreements negotiated
 9 6 pursuant to chapter 20 for employees in the judicial branch of
 9 7 government bargaining units.
 9 8 10. The collective bargaining agreement negotiated
 9 9 pursuant to chapter 20 for employees in the patient care
 9 10 bargaining unit.
 9 11 11. The collective bargaining agreement negotiated
 9 12 pursuant to chapter 20 for employees in the science bargaining
 9 13 unit.
 9 14 12. The collective bargaining agreement negotiated
 9 15 pursuant to chapter 20 for employees in the university of
 9 16 northern Iowa faculty bargaining unit.
 9 17 13. The collective bargaining agreement negotiated
 9 18 pursuant to chapter 20 for employees in the state university
 9 19 of Iowa graduate student bargaining unit.
 9 20 14. The collective bargaining agreement negotiated
 9 21 pursuant to chapter 20 for employees in the state university
 9 22 of Iowa hospital and clinics tertiary health care bargaining
 9 23 unit.
 9 24 15. The annual pay adjustments, related benefits, and
 9 25 expense reimbursements referred to in the sections of this
 9 26 division of this Act addressing noncontract state and state
 9 27 board of regents employees who are not covered by a collective
 9 28 bargaining agreement.

- Step increases of 4.50% for eligible employees during FY 2010.
- The State will match 100.00% of an employee's contribution to the Deferred Compensation Program up to a State share of \$75 per month (\$900 per year) effective July 1, 2009. This is an increase to the current State match rate of 50.00%.
- Delays health insurance increases for employees from January 1, 2010, to July 1, 2010.

FISCAL IMPACT: The estimated cost of the FY 2010 salary increases for these employees is \$4,790,961 from the General Fund and a total of \$8,877,590 from all funds.

State Police Officer's Council (SPOC)

- Continuation of 3.50% merit step increases for employees that are not at the top step of the pay range.
- Troopers will receive shift differential for any shift worked during specified hours and not just regular shifts.
- Delays health insurance increases for employees from July 1, 2009, to January 1, 2010.

FISCAL IMPACT: The estimated cost of FY 2010 salary increases for these employees is \$2,350,075 from the General Fund and a total of \$2,702,246 from all funds.

Judicial Public, Professional, and Maintenance Employees (PPME)

- Step increases of 4.50% for eligible employees during FY 2010.
- The State will match 100.00% of an employee's contribution to the Deferred Compensation Program up to a State share of \$75 per month (\$900 per year) effective July 1, 2009. This is an increase to the current State match rate of 50.00%.
- Permits employees to purchase up to \$100,000 of supplemental life insurance at their own expense.

FISCAL IMPACT: The estimated cost of the FY 2010 salary increases for these employees is \$229,660 from the General Fund.

Judicial AFSCME

- Step increases of 4.50% for eligible employees during FY 2010.
- The State will match 100.00% of an employee's contribution to the Deferred Compensation Program up to a State share of \$75 per month (\$900 per year) effective July 1, 2009. This is an increase to the current State match rate of 50.00%.
- Permits employees to purchase up to \$100,000 of supplemental life insurance at their own expense.

FISCAL IMPACT: The estimated cost of the FY 2010 salary increases for these employees is \$1,811,551 from the General Fund.

9 29 Sec. 19. NONCONTRACT STATE EMPLOYEES == GENERAL.

9 30 1. For the fiscal year beginning July 1, 2009:

9 31 a. The maximum and minimum salary levels of all pay plans
9 32 provided for in section 8A.413, subsection 3, as they exist
9 33 for the fiscal year ending June 30, 2009, shall not increase.

9 34 b. Employees may receive a step increase or the equivalent
9 35 of a step increase.

10 1 c. The pay plan for noncontract judicial branch employees
10 2 shall not be increased.

10 3 d. The pay plans for state employees who are exempt from
10 4 chapter 8A, subchapter IV, and who are included in the
10 5 department of administrative services' centralized payroll
10 6 system shall not be increased, and any additional changes in
10 7 any executive branch pay plans shall be approved by the
10 8 governor.

10 9 2. This section does not apply to members of the general
10 10 assembly, board members, commission members, persons whose
10 11 salaries are set by the general assembly pursuant to this Act
10 12 or are set by the governor, or other persons designated in the
10 13 section of this division of this Act addressing appointed
10 14 state officers, employees designated under section 8A.412,

Specifies that the FY 2010 pay plans for noncontract State employees and noncontract Judicial Branch employees will remain the same as the FY 2009 pay plans. Permits a step increase for certain employees. Specifies that State employees exempt from the merit process and included in the centralized payroll system pay plans for FY 2010 will remain the same as the FY 2009 pay plans. Limitations on FY 2010 salaries for noncontract State employees and noncontract Judicial Branch employees do not apply to members of the General Assembly, various Board or Commission members, or other salaries set by the Governor or other designated persons. Prohibits pay plans for bargaining eligible employees from being increased for FY 2010.

DETAIL: Estimated costs include:

Judicial Exempt

- Step increases of 4.50% for eligible employees during FY 2010.
- The State will match 100.00% of an employee's contribution to the Deferred Compensation Program up to a State share of \$75 per month (\$900 per year) effective July 1, 2009. This is an increase to the current State match rate of 50.00%.
- Permits employees to purchase up to \$100,000 of supplemental

10 15 subsection 5, and employees covered by 11 IAC 53.6(3).
 10 16 3. The pay plans for the bargaining eligible employees of
 10 17 the state shall not be increased, and any additional changes
 10 18 in such executive branch pay plans shall be approved by the
 10 19 governor. As used in this section, "bargaining eligible
 10 20 employee" means an employee who is eligible to organize under
 10 21 chapter 20, but has not done so.
 10 22 4. The policies for implementation of this section shall
 10 23 be approved by the governor.

life insurance at their own expense.

FISCAL IMPACT: The estimated cost of the FY 2010 salary increases for these employees is \$2,322,826 from the General Fund and a total of \$2,402,719 from all funds.

Non-Contract

- Step increases of 4.50% for eligible employees during FY 2010.
- The State will match 100.00% of an employee's contribution to the Deferred Compensation Program up to a State share of \$75 per month (\$900 per year) effective July 1, 2009. This is an increase to the current State match rate of 50.00%.
- Delays health insurance increases for employees from January 1, 2010, to July 1, 2010.

FISCAL IMPACT: The estimated cost of the FY 2010 salary increases for employees is \$7,824,500 from the General Fund and a total of \$13,820,381 from all funds.

10 24 Sec. 20. STATE EMPLOYEES == STATE BOARD OF REGENTS. For
 10 25 the fiscal year beginning July 1, 2009, and ending June 30,
 10 26 2010, funds shall be provided from available sources of the
 10 27 state board of regents for funding of collective bargaining
 10 28 agreements for state board of regents employees covered by
 10 29 such agreements and for the following state board of regents
 10 30 employees not covered by a collective bargaining agreement:
 10 31 1. Regents merit system employees and merit supervisory
 10 32 employees.
 10 33 2. Faculty members and professional and scientific
 10 34 employees.

Requires the State Board of Regents to use FY 2010 funds for funding collective bargaining agreements and for Regent employees not covered by a collective bargaining agreement.

DETAIL: Board of Regents merit system employees receive increases comparable to other contract-covered employees.

Estimated costs include:

AFSCME Regents - Step increases of 4.50% for eligible employees during FY 2010.

Committee to Organize Graduate Students - University of Iowa (COGS - SUI) - Makes changes to reduce expenses for the University of Iowa Graduate Care Health Insurance Plan.

University of Northern Iowa (UNI) United Faculty - No FY 2010 changes.

Service Employees' International Union (SEIU) - University of Iowa
University of Iowa Hospital and Clinic (SUI/UIHC) - Increases pay
across-the-board by 1.75% effective July 1, 2009.

FISCAL IMPACT: The estimated cost of the FY 2010 salary
increases for all Board of Regent employees is \$24,036,995 from the
General Fund and a total of \$51,167,428 from all funds.

10 35 Sec. 21. DEPARTMENT OF ADMINISTRATIVE SERVICES == JOB
11 1 EVALUATION AND CLASSIFICATION STUDY.

11 2 1. For the fiscal year beginning July 1, 2009, and ending
11 3 June 30, 2010, the department of administrative services shall
11 4 conduct a job evaluation study of state employees for the
11 5 purpose of determining whether the job classification and pay
11 6 grade level of selected state employees are properly
11 7 determined.

11 8 2. In conducting the study, the department shall provide a
11 9 job evaluation questionnaire to a randomly selected sample of
11 10 state employees within particular job classifications. The
11 11 department shall examine each questionnaire and determine,
11 12 based upon an evaluation system established by the department,
11 13 whether the particular state employee is properly classified
11 14 and assigned an appropriate pay grade. If the department
11 15 makes an initial determination that the state employee is
11 16 improperly classified, the department shall allow the employer
11 17 of the state employee a reasonable opportunity to respond to
11 18 the alleged misclassification. If the department makes a
11 19 final determination that the state employee is misclassified,
11 20 the department shall direct the employer of the state
11 21 employee, within fourteen days of the determination by the
11 22 department, to properly classify the state employee within the
11 23 proper job classification and pay grade.

Requires the Department of Administrative Services to conduct a job
evaluation study of State employees. Specifies the purpose of and
process for the study. Permits State employer responses to a
determination of misclassification of a position. Requires the State
employer to reclassify the employee's position within 14 days of the
determination of the Department of Administrative Services.

11 24 Sec. 22. BONUS PAY. For the fiscal year beginning July 1,
11 25 2009, and ending June 30, 2010, employees of the executive
11 26 branch, judicial branch, and legislative branch shall not

Prohibits bonus pay in FY 2010 for all Executive Branch, Judicial
Branch, and Legislative Branch employees, unless permitted by law or
required by a collective bargaining agreement. Defines "bonus pay."

11 27 receive bonus pay unless otherwise authorized by law, required
11 28 pursuant to a contract of employment entered into before July
11 29 1, 2009, or required pursuant to a collective bargaining
11 30 agreement. This section does not apply to employees of the
11 31 state board of regents. For purposes of this section, "bonus
11 32 pay" means any additional remuneration provided an employee in
11 33 the form of a bonus, including but not limited to a retention
11 34 bonus, recruitment bonus, exceptional job performance pay,
11 35 extraordinary job performance pay, exceptional performance
12 1 pay, extraordinary duty pay, or extraordinary or special duty
12 2 pay, and any extra benefit not otherwise provided to other
12 3 similarly situated employees.

12 4 Sec. 23. SPECIAL FUNDS. For the fiscal year beginning
12 5 July 1, 2009, and ending June 30, 2010, salary adjustments
12 6 otherwise provided for in this division of this Act may be
12 7 funded using departmental revolving, trust, or special funds
12 8 for which the general assembly has established an operating
12 9 budget, provided doing so does not exceed the operating budget
12 10 established by the general assembly.

Permits FY 2010 supplemental expenditures from various revolving, trust, or special funds to be used for salary adjustments provided that the operating budget set by the General Assembly is not exceeded.

12 11 Sec. 24. FEDERAL FUNDS APPROPRIATED. For the fiscal year
12 12 beginning July 1, 2009, all federal grants to and the federal
12 13 receipts of the agencies affected by this division of this Act
12 14 which are received and may be expended for purposes of this
12 15 division of this Act are appropriated for those purposes and
12 16 as set forth in the federal grants or receipts.

Permits FY 2010 federal funding to be expended for salary adjustments if permitted within a federal grant.

12 17 Sec. 25. STATE TROOPER MEAL ALLOWANCE. For the fiscal
12 18 year beginning July 1, 2009, the sworn peace officers in the
12 19 department of public safety who are not covered by a
12 20 collective bargaining agreement negotiated pursuant to chapter
12 21 20 shall receive the same per diem meal allowance as the sworn
12 22 peace officers in the department of public safety who are
12 23 covered by a collective bargaining agreement negotiated

Requires Department of Public Safety sworn peace officers not covered by a collective bargaining agreement to receive the same per diem meal allowance as those officers covered by a negotiated bargaining agreement in FY 2010.

12 24 pursuant to chapter 20.

12 25 Sec. 26. SALARY MODEL ADMINISTRATOR. The salary model
12 26 administrator shall work in conjunction with the legislative
12 27 services agency to maintain the state's salary model used for
12 28 analyzing, comparing, and projecting state employee salary and
12 29 benefit information, including information relating to
12 30 employees of the state board of regents. The department of
12 31 revenue, the department of administrative services, the five
12 32 institutions under the jurisdiction of the state board of
12 33 regents, the judicial district departments of correctional
12 34 services, and the state department of transportation shall
12 35 provide salary data to the department of management and the
13 1 legislative services agency to operate the state's salary
13 2 model. The format and frequency of provision of the salary
13 3 data shall be determined by the department of management and
13 4 the legislative services agency. The information shall be
13 5 used in collective bargaining processes under chapter 20 and
13 6 in calculating the funding needs contained within the annual
13 7 salary adjustment legislation. A state employee organization
13 8 as defined in section 20.3, subsection 4, may request
13 9 information produced by the model, but the information
13 10 provided shall not contain information attributable to
13 11 individual employees.

Requires the salary model administrator to work with the Legislative Services Agency to maintain the State's salary model. Requires various departments to submit salary data.

13 12 Sec. 27. Section 8A.402, subsection 2, Code 2009, is
13 13 amended by adding the following new paragraph:
13 14 NEW PARAGRAPH . g. (1) (a) Consult with the department
13 15 of management and discuss and collaborate with executive
13 16 branch agencies to implement and maintain a policy for
13 17 increasing the aggregate ratio in the number of employees per
13 18 supervisor in executive branch agencies to be fourteen
13 19 employees for one supervisor. For purposes of determining the
13 20 effects of the policy on the state employee workforce, the
13 21 base date of July 1, 2008, shall be used and the target date
13 22 for full implementation shall be July 1, 2011.

CODE: Requires the Department of Administrative Services (DAS) to implement and maintain a 14:1 employee to supervisor ratio by July 1, 2011. Permits appropriation units with 28.00 FTE positions or less to receive an exemption from the requirement from the Executive Council. Requires the DAS to notify the Fiscal Committee of the Legislative Council prior to a reduction in supervisory layers and requires the notification to include certain responsibilities, activities, and expected savings. Requires the Fiscal Committee to report to the Legislative Council. Requires the DAS to present an interim report to the Governor and the General Assembly by April 1, 2010, and a final report by April 1, 2011, regarding the effects of the policy.

Prohibits the policy from impacting Board of Regents or Judicial

13 23 (b) The policy shall allow appropriation units with
13 24 twenty-eight or fewer full-time equivalent employee positions
13 25 to apply for an exception to the policy through the executive
13 26 council.
13 27 (c) Before any reduction in supervisory layers is
13 28 implemented as a result of this paragraph "g", the department
13 29 shall notify the legislative fiscal committee of the
13 30 legislative council regarding the proposed reduction. The
13 31 notification shall include a list of the positions and
13 32 employment responsibilities to be eliminated or reduced, a
13 33 list of activities to be eliminated or reduced, and an
13 34 estimate of the savings expected to result from the
13 35 elimination or reduction. The legislative fiscal committee
14 1 shall report to the legislative council concerning the
14 2 notifications received.
14 3 (d) The department shall present an interim report to the
14 4 governor and general assembly on or before April 1, 2010, and
14 5 a final report on or before April 1, 2011, detailing the
14 6 effects of the policy on the composition of the workforce,
14 7 cost savings, government efficiency, and outcomes.
14 8 (e) The policy developed pursuant to this paragraph "g"
14 9 shall not encompass employees under the state board of
14 10 regents, the department of human services, or a judicial
14 11 district department of correctional services. However, the
14 12 department of administrative services shall work with the
14 13 state board of regents, the department of human services, and
14 14 the judicial district departments of correctional services to
14 15 advance the policy as a goal for the supervisory staff of
14 16 these units of state government.
14 17 (2) Evaluate the state's systems for job classification of
14 18 executive branch employees in order to ensure the existence of
14 19 technical skill-based career paths for such employees which do
14 20 not depend upon an employee gaining supervisory responsibility
14 21 for advancement, and which provide incentives for such
14 22 employees to broaden their knowledge and skill base. The
14 23 evaluation shall include but is not limited to options for
14 24 eliminating obsolete, duplicative, or unnecessary job
14 25 classifications. The department shall present interim reports

District Departments of Correctional Services. Requires the DAS to work with the Board and District Departments regarding the supervisory staff goal. Requires the DAS to evaluate the State's job classification system regarding technical skill-based career paths and changing job classifications. Requires interim reports from the DAS to the General Assembly by January 15, 2010, and January 14, 2011.

Requires the DAS to prioritize middle management employee positions for elimination or reduction, and elimination of open positions as a result of early retirement, and to prioritize elimination or deferral of purchases and out-of-State travel by Executive Branch agencies. Requires the Department of Management to report quarterly to the Fiscal Committee and the Legislative Services Agency regarding out-of-State travel.

14 26 to the general assembly on or before January 15, 2010, and
14 27 January 14, 2011, concerning the department's progress in
14 28 completing the evaluation and associated outcomes.
14 29 (3) In implementing this paragraph "g", give priority to
14 30 elimination or reduction of middle management employee
14 31 positions. In addition, prior to the elimination of employee
14 32 positions other than middle management positions or positions
14 33 eliminated due to early retirement, priority shall be given to
14 34 elimination or deferral by executive branch agencies of
14 35 purchases and out-of-state travel. The department of
15 1 management shall report quarterly to the legislative fiscal
15 2 committee of the legislative council and to the legislative
15 3 services agency regarding out-of-state travel authorized by
15 4 executive branch agencies including a listing by agency of
15 5 personnel authorized to travel, and the cost and purpose of
15 6 the travel authorized.

15 7 Sec. 28. 2009 Iowa Acts, Senate File 475, section 21, if
15 8 enacted, is amended to read as follows:
15 9 ~~SEC. 21. SUPERVISOR AND EMPLOYEE RATIO. The department of~~
15 10 ~~administrative services and the executive branch agencies~~
15 11 ~~receiving appropriations in this Act shall pursue a goal of~~
15 12 ~~achieving a ratio of fourteen employees per supervisor in such~~
15 13 ~~agencies, by December 31, 2009.~~

CODE: Strikes a requirement from SF 475 (FY 2010 Justice System Appropriations Bill) that the Department of Administrative Services and Executive Branch agencies pursue a Supervisor-Employee ratio of 14:1.

15 14 DIVISION IV
15 15 CORRECTIVE PROVISIONS

15 16 Sec. 29. Section 8.57, subsection 6, paragraph e,
15 17 subparagraphs (2) and (3), if enacted by 2009 Iowa Acts,
15 18 Senate File 376, are amended by striking the subparagraphs and
15 19 inserting in lieu thereof the following:
15 20 (2) If the total amount of moneys directed to be deposited
15 21 in the general fund of the state under sections 99D.17 and
15 22 99F.11 in a fiscal year is less than the total amount of

CODE: Technical correction relating to the changes made to the State wagering tax allocations for the new debt service on the revenue bonds because of an internal reference.

15 23 moneys directed to be deposited in the revenue bonds debt
 15 24 service fund in the fiscal year pursuant to this paragraph
 15 25 "e", the difference shall be paid from moneys deposited in the
 15 26 beer and liquor control fund created in section 123.53 in the
 15 27 manner provided in section 123.53, subsection 2A.
 15 28 ~~(2)~~ (3) After the deposit of moneys directed to be
 15 29 deposited in the general fund of the state and the revenue
 15 30 bonds debt service fund as provided in subparagraph (1),
 15 31 subparagraph division (a), if the total amount of moneys
 15 32 directed to be deposited in the general fund of the state
 15 33 under sections 99D.17 and 99F.11 in a fiscal year is less than
 15 34 the total amount of moneys directed to be deposited in the
 15 35 vision Iowa fund and the school infrastructure fund in the
 16 1 fiscal year pursuant to this paragraph "e", the difference
 16 2 shall be paid from lottery revenues in the manner provided in
 16 3 section 99G.39, subsection 3.

16 4 Sec. 30. Section 12.90C, subsection 2, paragraph a, if
 16 5 enacted by 2009 Iowa Acts, Senate File 477, is amended to read
 16 6 as follows:
 16 7 3. The net proceeds of bonds issued pursuant to section
 16 8 12.90A other than bonds issued for the purpose of refunding
 16 9 such bonds and investment earnings on the net proceeds.

CODE: Technical correction relating to annual appropriation bonds.

16 10 Sec. 31. Section 21.2, subsection 1, paragraph i, if
 16 11 enacted by 2009 Iowa Acts, Senate File 437, is amended to read
 16 12 as follows:
 16 13 i. The governing body of a drainage or ~~levy~~ levee district
 16 14 as provided in chapter 468, including a board as defined in
 16 15 section 468.3, regardless of how the district is organized.

CODE: Technical correction relating to a levee district.

16 16 Sec. 32. Section 22.1, subsection 1, as amended by 2009
 16 17 Iowa Acts, Senate File 437, if enacted, is amended to read as
 16 18 follows:
 16 19 1. The term "government body" means this state, or any
 16 20 county, city, township, school corporation, political

CODE: Technical correction relating to a levee district.

16 21 subdivision, tax-supported district, nonprofit corporation
16 22 other than a fair conducting a fair event as provided in
16 23 chapter 174, whose facilities or indebtedness are supported in
16 24 whole or in part with property tax revenue and which is
16 25 licensed to conduct pari-mutuel wagering pursuant to chapter
16 26 99D; the governing body of a drainage or ~~levy~~ levee district
16 27 as provided in chapter 468, including a board as defined in
16 28 section 468.3, regardless of how the district is organized; or
16 29 other entity of this state, or any branch, department, board,
16 30 bureau, commission, council, committee, official, or officer
16 31 of any of the foregoing or any employee delegated the
16 32 responsibility for implementing the requirements of this
16 33 chapter.

16 34 Sec. 33. Section 80D.3, subsection 3, paragraph b, if
16 35 enacted by 2009 Iowa Acts, House File 762, section 1, is
17 1 amended to read as follows:
17 2 b. A person appointed to serve as a reserve peace officer
17 3 who has met the one=hundred=fifty=hour training requirement
17 4 ~~obtained by obtaining training~~ at a community college or other
17 5 facility selected by the individual and approved by the law
17 6 enforcement agency prior to July 1, 2007, shall be exempted
17 7 from completing the minimum training course at the discretion
17 8 of the appointing authority and shall continue to hold
17 9 certification with the appointing authority.

CODE: Technical correction relating to reserve peace officer training.

17 10 Sec. 34. Section 89.3, subsection 5, paragraph a,
17 11 subparagraph (4), if enacted by 2009 Iowa Acts, House File
17 12 720, section 2, is amended to read as follows:
17 13 (4) The owner or user is a participant in good standing in
17 14 the Iowa occupational safety and health voluntary protection
17 15 program and ~~have~~ has achieved star status within the program,
17 16 which is administered by the division of labor in the
17 17 department of workforce development.

CODE: Technical correction relating to the Iowa Occupational Safety and Health Voluntary Protection Program.

17 18 Sec. 35. Section 216A.132A, subsection 5, paragraph i, as

CODE: Technical correction relating to the name of the Iowa

17 19 enacted by 2009 Iowa Acts, House File 315, section 1, is
17 20 amended to read as follows:
17 21 i. Iowa cooperative extension service in agriculture and
17 22 home economics.

Cooperative Extension Service.

17 23 Sec. 36. Section 321A.1, subsection 3, Code 2009, is
17 24 amended to read as follows:
17 25 3. JUDGMENT. A judgment which has become final by
17 26 expiration without appeal during the time within which an
17 27 appeal might have been perfected, or a judgment if an appeal
17 28 from the judgment has been perfected, which has not been
17 29 stayed by the execution, filing and approval of a bond as
17 30 provided in rule of appellate procedure ~~6.7(1)~~ 6.601(1) , or a
17 31 judgment which has become final by affirmation on appeal,
17 32 rendered by a court of competent jurisdiction of a state or of
17 33 the United States, upon a cause of action arising out of the
17 34 ownership, maintenance, or use of a motor vehicle, as defined
17 35 in this section, for damages, including damages for care and
18 1 loss of services, because of bodily injury to or death of a
18 2 person, or for damages because of injury to or destruction of
18 3 property, including the loss of use of property, or upon a
18 4 cause of action on an agreement of settlement for such
18 5 damages.

CODE: Technical correction for a reference to a rule of appellate procedure.

18 6 Sec. 37. Section 321A.3, subsection 8, paragraph a,
18 7 subparagraph (1), if enacted by 2009 Iowa Acts, Senate File
18 8 374, section 1, is amended to read as follows:
18 9 (1) A person who purchases a certified abstract of an
18 10 operating record directly from the department under this
18 11 section shall only use, sell, disclose, or distribute the
18 12 abstract or any portion of the abstract one time, for one
18 13 purpose, and the person shall not supply that abstract or any
18 14 portion of that abstract to more than one other person. The
18 15 person shall make a subsequent request for the ~~record or~~
18 16 abstract and pay an additional fee for the request in the same
18 17 manner as provided for the initial request for any subsequent

CODE: Technical correction regarding a certified abstract of an operating record.

18 18 use, sale, disclosure, or distribution of the same certified
18 19 abstract or any portion of the abstract or to supply the same
18 20 certified abstract or any portion of the abstract to another
18 21 person, except as provided in subparagraph (2).

18 22 Sec. 38. Section 347.7, subsection 4, paragraph a, if
18 23 enacted by 2009 Iowa Acts, House File 260, section 5, is
18 24 amended to read as follows:
18 25 a. The tax levy authorized by this section for operation
18 26 and maintenance of the hospital may be available in whole or
18 27 in part to any county with or without a county hospital
18 28 organized under this chapter, to be used to enhance rural
18 29 health services in the county. However, the tax levied may be
18 30 expended for enhancement of rural health care services only
18 31 following a local planning process. The Iowa department of
18 32 public health shall establish guidelines to be followed by
18 33 counties in implementing the local planning process which
18 34 shall require legal notice, public hearings, and a referendum
18 35 in accordance with this subsection prior to the authorization
19 1 of any new levy or a change in the use of a levy. The notice
19 2 shall describe the new levy or the change in the use of the
19 3 levy, indicate the date and location of the hearing, and shall
19 4 be published ~~as~~ at least once each week for two consecutive
19 5 weeks in a newspaper having general circulation in the county.
19 6 The hearing shall not take place prior to two weeks after the
19 7 second publication.

CODE: Technical correction regarding newspaper publication for a hospital tax levy.

19 8 Sec. 39. Section 423.4, subsection 5, paragraph f, Code
19 9 2009, as amended by 2009 Iowa Acts, Senate File 322, section
19 10 7, is amended to read as follows:
19 11 f. Notwithstanding the state sales tax imposed in section
19 12 423.2, a rebate issued pursuant to this ~~section~~ subsection
19 13 shall not exceed an amount equal to five percent of the sales
19 14 price of the tangible personal property or services furnished
19 15 to purchasers at the automobile racetrack facility. Any local
19 16 option taxes paid and collected shall not be subject to rebate

CODE: Technical correction regarding a subsection reference within the State sales tax rebate provision.

19 17 under this subsection.

19 18 Sec. 40. Section 533.329, subsection 2, paragraph m, Code
19 19 2009, is amended to read as follows:

19 20 m. The moneys and credits tax imposed under this section
19 21 shall be reduced by a redevelopment tax credit allowed under
19 22 chapter 15, subchapter II, part 9.

CODE: Technical correction regarding a subchapter reference within the redevelopment tax credit provisions.

19 23 Sec. 41. Section 533A.2, subsection 2, paragraph h, if
19 24 enacted by 2009 Iowa Acts, Senate File 311, section 2, is
19 25 amended to read as follows:

19 26 h. A person licensed under chapter 533C, including that
19 27 person's authorized delegates as defined in section 533C.102,
19 28 or a person exempt from licensing under section 533C.103, when
19 29 engaging in money transmission or currency exchange as defined
19 30 in ~~chapter~~ section 533C.102.

CODE: Technical correction regarding a section reference for the exchange of money transmission or currency exchange.

19 31 Sec. 42. Section 535D.4A, subsection 1, if enacted by 2009
19 32 Iowa Acts, Senate File 355, section 5, is amended to read as
19 33 follows:

19 34 1. A registered mortgage loan originator when acting for
19 35 an employer described in section 535D.3, subsection 44 12 .

CODE: Technical correction regarding a subsection reference for registered mortgage loan originators.

20 1 Sec. 43. Section 535B.7A, as enacted by 2009 Iowa Acts,
20 2 Senate File 355, section 30, is amended to read as follows:
20 3 535B.7A PROHIBITED ACTS.

20 4 It is a violation of this chapter for a licensee to engage
20 5 in any of the prohibited acts or practices in section ~~535D.46~~
20 6 535D.17 .

CODE: Technical correction regarding a section reference for mortgage loan originator licensing.

20 7 Sec. 44. Section 598.21, subsection 2, Code 2009, as
20 8 amended by 2009 Iowa Acts, Senate File 288, section 36, is
20 9 amended to read as follows:

20 10 2. DUTIES OF COUNTY RECORDER. The county recorder shall

CODE: Technical correction regarding the quitclaim fee collected by a county recorder.

20 11 record each quitclaim deed or change of title and shall
20 12 collect the ~~fees~~ fee specified in section 331.507, subsection
20 13 2, paragraph "a", and the ~~fee~~ fees specified in section
20 14 331.604.

20 15 Sec. 45. Section 633A.5107, subsection 5, if enacted by
20 16 2009 Iowa Acts, Senate File 320, section 1, is amended to read
20 17 as follows:
20 18 5. For a charitable trust described in subsection 1,
20 19 created prior to the effective date of this Act and still in
20 20 existence, the trustee shall register the trust with and
20 21 submit a current copy of the trust instrument and financial
20 22 report to the attorney general not later than one hundred
20 23 thirty-five days after the close of the trust's next fiscal
20 24 year following the effective date of this Act. The trustee
20 25 shall comply with the remainder of this ~~Act~~ section as if the
20 26 charitable trust were created on or after the effective date
20 27 of this Act.

CODE: Technical correction regarding a section reference for a charitable trust.

20 28 Sec. 46. Section 637.421, subsection 6, as enacted by 2009
20 29 Iowa Acts, Senate File 365, section 12, is amended to read as
20 30 follows:
20 31 6. A trustee shall determine the internal income of each
20 32 separate fund for the accounting period as if the separate
20 33 fund were a trust subject to this chapter. Upon request of
20 34 the surviving spouse, the trustee shall demand that the person
20 35 administering the separate fund ~~to~~ distribute such internal
21 1 income to the trust. The trustee shall allocate a payment
21 2 from the separate fund to income to the extent of the internal
21 3 income of the separate fund and distribute that amount to the
21 4 surviving spouse. The trustee shall allocate the balance to
21 5 principal. Upon request of the surviving spouse, the trustee
21 6 shall allocate principal to income to the extent the internal
21 7 income of the separate fund exceeds payments made from the
21 8 separate fund to the trust during the accounting period.

CODE: Technical grammar correction regarding the surviving spouse affected by certain trusts.

21 9 Sec. 47. Section 915.86, subsections 8 and 12, Code 2009,
21 10 are amended to read as follows:
21 11 8. In the event of a victim's death, reasonable charges
21 12 incurred for counseling the victim's spouse, children,
21 13 parents, siblings, or persons cohabiting with or related by
21 14 blood or affinity to the victim if the counseling services are
21 15 provided by a psychologist licensed under chapter 154B, a
21 16 victim counselor as defined in section 915.20A, subsection 1,
21 17 or an individual holding at least a master's degree in social
21 18 work or counseling and guidance, and reasonable charges
21 19 incurred by such persons for medical care counseling provided
21 20 by a psychiatrist licensed under chapter ~~147 or 150A~~ 148 . The
21 21 allowable charges under this subsection shall not exceed five
21 22 thousand dollars per person.
21 23 12. Reasonable charges incurred for mental health care for
21 24 secondary victims which include the services provided by a
21 25 psychologist licensed under chapter 154B, a person holding at
21 26 least a master's degree in social work, counseling, or a
21 27 related field, a victim counselor as defined in section
21 28 915.20A, or a psychiatrist licensed under chapter ~~147, 148 , or~~
21 29 ~~150A~~ . The allowable charges under this subsection shall not
21 30 exceed two thousand dollars per secondary victim.

CODE: Technical correction regarding a reference relating to victim compensation from certain psychiatrists and victim counselors.

21 31 Sec. 48. 2009 Iowa Acts, Senate File 197, section 9, is
21 32 amended to read as follows:
21 33 SEC. 9. APPLICABILITY AND EFFECTIVE DATES. The section of
21 34 this Act amending section 96.3 , subsection 5, applies to any
21 35 week of unemployment benefits beginning on or after July 5,
22 1 2009. The section of this Act amending section 96.4 applies
22 2 to any new claim of unemployment benefits with an effective
22 3 date on or after July 5, 2009.

CODE: Technical correction regarding a subsection reference relating to unemployment benefits.

22 4 Sec. 49. 2009 Iowa Acts, Senate File 364, section 17,
22 5 subsection 5, is amended to read as follows:
22 6 5. The section of this Act enacting section 654.4B,
22 7 subsection 1, and the sections of this Act amending sections

CODE: Technical correction regarding judgments entered after an enactment date relating to real estate mortgages.

22 8 626.81, 654.5, and 654.17 apply to judgments entered on or
22 9 after the effective date of this Act.

22 10 Sec. 50. 2009 Iowa Acts, Senate File 445, section 10,
22 11 amending section 294A.9, subsection 9, if enacted, being
22 12 deemed of immediate importance, takes effect upon enactment.

CODE: Technical correction to add an effective on enactment clause for the repeal of Phase II of the Educational Excellence Program on June 30, 2009.

22 13 Sec. 51. 2009 Iowa Acts, Senate File 446, section 82, is
22 14 repealed.

CODE: Strikes a technical correction to the Grain Depositor and Seller Indemnity Fund in the Nonsubstantive Code Editor's Act.

22 15 Sec. 52. CONTINGENT REPEAL. If 2009 Iowa Acts, Senate
22 16 File 438, is enacted and amends section 235B.2, subsection 5,
22 17 paragraph "a", subparagraph (3), 2009 Iowa Acts, Senate File
22 18 446, sections 95 and 96, are repealed.

CODE: Strikes Sections in the Nonsubstantive Code Editors Act relating to sexual exploitation of a dependent adult if Section 235B.2, Code of Iowa, relating to the definition of "dependent adult" is amended in another Bill.

22 19 Sec. 53. EFFECTIVE DATES AND RETROACTIVITY. The section
22 20 of this division of this Act relating to 2009 Iowa Acts,
22 21 Senate File 445, section 10, and amending section 294A.9,
22 22 subsection 9, being deemed of immediate importance, takes
22 23 effect upon enactment.

The Section related to Phase II of the Educational Excellence Program is effective on enactment.

22 24 DIVISION V
22 25 JUDICIAL BRANCH FEES == APPROPRIATIONS

22 26 Sec. 54. Section 602.8105, subsection 1, paragraph a, Code
22 27 2009, is amended to read as follows:
22 28 a. For Except as otherwise provided in this subsection,
22 29 for filing and docketing a petition, other than a modification
22 30 of a dissolution decree to which a written stipulation is
22 31 attached at the time of filing containing the agreement of the
22 32 parties to the terms of modification, one hundred eighty=five
22 33 dollars. In counties having a population of ninety=eight
22 34 thousand or over, an additional five dollars shall be charged

CODE: Eliminates the exemption of dissolution decree modifications from the court filing and docketing fee. The exemption is relocated in statute in Section 57 of this Bill. Increases the court filing and docketing fee from \$100.00 to \$185.00 except for those related to domestic relations and adoptions. Eliminates the exemption of multiple adoption petitions or petitions filed in addition to the first adoption petition from the court filing and docketing fee. The adoption-related petition exemptions are relocated in statute in Section 57 in this Bill.

22 35 and collected to be known as the journal publication fee and
 23 1 used for the purposes provided for in section 618.13. For
 23 2 ~~multiple adoption petitions filed at the same time by the same~~
 23 3 ~~petitioner under section 600.3, the filing fee and any court~~
 23 4 ~~costs for any petition filed in addition to the first petition~~
 23 5 ~~filed are waived.~~

DETAIL: It is estimated that this fee increase will generate an estimated \$5,100,000 of additional annual revenue. For FY 2008, there were 63,161 filings in District Court. The revenue is deposited in the General Fund.

23 6 Sec. 55. Section 602.8105, subsection 1, Code 2009, is
 23 7 amended by adding the following new paragraph:
 23 8 NEW PARAGRAPH . aa. For filing and docketing a petition
 23 9 pursuant to chapter 598 other than a dissolution of marriage
 23 10 petition, one hundred dollars.

CODE: Establishes court filing and docketing fees for petitions relating to marriage and domestic relations, except for dissolution of marriage petitions, at \$100.00. This maintains the current marriage and domestic relations filing fee.

23 11 Sec. 56. Section 602.8105, subsection 1, paragraph b, Code
 23 12 2009, is amended to read as follows:
 23 13 b. For filing and docketing an application for
 23 14 modification of a dissolution decree to which a written
 23 15 stipulation is attached at the time of filing containing the
 23 16 agreement of the parties to the terms of modification, ~~fifty~~
 23 17 one hundred dollars.

CODE: Increases the fee for modification of a marriage dissolution decree from \$50.00 to \$100.00.

DETAIL: It is estimated that this fee increase will generate an estimated \$62,000 of additional annual revenue. For FY 2008, there were 1,299 modification cases filed in District Court. The revenue is deposited in the General Fund.

23 18 Sec. 57. Section 602.8105, subsection 1, Code 2009, is
 23 19 amended by adding the following new paragraph:
 23 20 NEW PARAGRAPH . cc. For filing and docketing a petition
 23 21 for adoption pursuant to chapter 600, one hundred dollars.
 23 22 For multiple adoption petitions filed at the same time by the
 23 23 same petitioner under section 600.3, the filing fee and any
 23 24 court costs for any petition filed in addition to the first
 23 25 petition filed are waived.

CODE: Establishes the fee for filing and docketing a petition for adoption at \$100.00 (current law). Waives additional fees for multiple adoption petitions filed at the same time by the same petitioner (current law).

23 26 Sec. 58. Section 602.8105, subsection 1, paragraph e, Code
 23 27 2009, is amended to read as follows:
 23 28 e. For an appeal from a judgment in small claims or for
 23 29 filing and docketing a writ of error, ~~seventy-five~~ one hundred
 23 30 eighty-five dollars.

CODE: Increases the fee for an appeal from a judgment in a small claims case or for filing and docketing a writ of error from \$75.00 to \$185.00.

DETAIL: It is estimated that this fee increase will generate an

estimated \$49,000 of additional annual revenue. For FY 2008, there were 469 small claims case appeals to District court. The revenue is deposited in the General Fund.

23 31 Sec. 59. Section 602.8105, subsection 2, paragraphs a, b,
23 32 c, and d, Code 2009, are amended to read as follows:

23 33 a. For filing, entering, and endorsing a mechanic's lien,
23 34 ~~twenty~~ fifty dollars, and if a suit is brought, the fee is
23 35 taxable as other costs in the action.

24 1 b. For filing and entering any other statutory lien,
24 2 ~~twenty~~ fifty dollars.

CODE: Increases the fee for filing, entering, and endorsing a mechanic's lien and other statutory liens from \$20.00 to \$50.00.

DETAIL: It is estimated that this fee increase will generate an estimated \$226,000 of additional annual revenue. For FY 2008, there were 7,528 liens filed in District court. The revenue is deposited in the General Fund.

24 3 c. For a certificate and seal, ~~ten~~ twenty dollars.
24 4 However, there shall be no charge for a certificate and seal
24 5 to an application to procure a pension, bounty, or back pay
24 6 for a member of the armed services or other person.

CODE: Increases the fee for the certification of court records from \$10.00 to \$20.00.

DETAIL: It is estimated that this fee increase will generate an estimated \$40,000 of additional annual revenue. For FY 2008, there were 3,975 certifications. The revenue is deposited in the General Fund.

24 7 d. For certifying a change in title of real estate, ~~twenty~~
24 8 fifty dollars.

CODE: Increases the fee for the certification of a change in a real estate title from \$20.00 to \$50.00.

DETAIL: It is estimated that this fee increase will generate an estimated \$29,000 of additional annual revenue. For FY 2008, there were 967 certifications. The revenue is deposited in the General Fund.

24 9 Sec. 60. Section 602.8105, subsection 2, Code 2009, is
24 10 amended by adding the following new paragraph:
24 11 NEW PARAGRAPH . gg. For filing a lis pendens, fifty
24 12 dollars.

CODE: Creates a Lis Pendens filing fee of \$50.00.

DETAIL: It is estimated that this fee increase will generate an estimated \$438,000 of additional annual revenue. For FY 2008, there were 8,762 Lis Pendens ("suit pending" in Latin) regarding certain real

property claims. The revenue is deposited in the General Fund.

24 13 Sec. 61. Section 602.8106, subsection 1, paragraphs b, d,
24 14 e, and f, Code 2009, are amended to read as follows:

24 15 b. For filing and docketing of a complaint or information
24 16 for a simple misdemeanor and a complaint or information for a
24 17 nonscheduled simple misdemeanor under chapter 321, ~~fifty~~ sixty
24 18 dollars.

CODE: Increases the fee for filing and docketing a simple misdemeanor complaint or information and for certain motor vehicle non-scheduled simple misdemeanors from \$50.00 to \$60.00.

DETAIL: It is estimated that this fee increase will generate an additional \$4,800,000 of annual revenue. For FY 2008, there were 680,797 cases filed in District Court. The revenue is deposited in the General Fund.

24 19 d. The court costs in scheduled violation cases where a
24 20 court appearance is required, ~~fifty~~ sixty dollars.

CODE: Increases the fee for a scheduled violation with a court appearance from \$50.00 to \$60.00.

DETAIL: The estimated revenue is included with the annotation for paragraph b.

24 21 e. For court costs in scheduled violation cases where a
24 22 court appearance is not required, ~~fifty~~ sixty dollars.

CODE: Increases the fee for a scheduled violation without a court appearance from \$50.00 to \$60.00.

DETAIL: The estimated revenue is included with the annotation for paragraph b.

24 23 f. For an appeal of a simple misdemeanor to the district
24 24 court, ~~fifty~~ seventy=five dollars.

CODE: Increases the fee for simple misdemeanor appeals to a district court from \$50.00 to \$60.00.

DETAIL: The estimated revenue is included with the annotation for paragraph b.

24 25 Sec. 62. Section 625.8, subsection 2, Code 2009, is
24 26 amended to read as follows:

CODE: Increases the fee for a court reporter from \$15.00 to \$40.00 per day.

24 27 2. The clerk of the district court shall tax as a court
 24 28 cost a fee of ~~fifteen~~ forty dollars per day for the services
 24 29 of a court reporter.

DETAIL: It is estimated that this fee increase will generate \$1,300,000 of additional annual revenue. There were 65,970 cases in FY 2008 that required a court reporter. The revenue is deposited in the General Fund.

24 30 Sec. 63. Section 631.6, subsection 1, paragraph a, Code
 24 31 2009, is amended to read as follows:
 24 32 a. Fees for filing and docketing shall be ~~fifty~~
 24 33 eighty=five dollars.

CODE: Increases the filing and docketing fee for small claims actions from \$50.00 to \$85.00.

DETAIL: It is estimated that this fee increase will generate \$3,900,000 in additional annual revenue. In FY 2008, there were 116,150 cases filed in District Court. The revenue is deposited in the General Fund.

24 34 Sec. 64. Section 633.31, subsection 2, paragraph k,
 24 35 unnumbered paragraph 8, Code 2009, is amended to read as
 25 1 follows:
 25 2 For each additional \$25,000.00 or major
 25 3 fraction thereof ~~25.00~~
 25 4 50.00

CODE: Increases the fee for probate for settlement of certain estates when the value of the personal property or real estate is greater than \$25,000.00, or for each additional \$25,000.00 or major fraction thereof, from \$25.00 to \$50.00.

DETAIL: It is estimated that this fee increase will generate \$256,000 of additional annual revenue. In FY 2008, there were 10,758 estates with a value greater than \$25,000. The revenue is deposited in the General Fund.

25 5 Sec. 65. Section 911.1, subsection 1, Code 2009, is
 25 6 amended to read as follows:
 25 7 1. A criminal penalty surcharge shall be levied against
 25 8 law violators as provided in this section. When a court
 25 9 imposes a fine or forfeiture for a violation of state law, or
 25 10 a city or county ordinance, except an ordinance regulating the
 25 11 parking of motor vehicles, the court or the clerk of the
 25 12 district court shall assess an additional penalty in the form
 25 13 of a criminal penalty surcharge equal to ~~thirty=two~~
 25 14 thirty=five percent of the fine or forfeiture imposed.

CODE: Increases the criminal penalty surcharge from 32.00% of the fine or forfeiture to 35.00%.

DETAIL: It is estimated that this surcharge increase will generate \$530,000 of additional annual revenue for the State General Fund, \$109,000 for the Victim Compensation Fund, and \$34,000 for local governments. In FY 2008, there were 419,538 cases where the surcharge applied.

25 15 Sec. 66. 2009 Iowa Acts, Senate File 472, section 1,

CODE: Increases the FY 2010 General Fund appropriation to the

25 16 subsection 1, unnumbered paragraph 2, if enacted, is amended
 25 17 to read as follows:
 25 18 For salaries of supreme court justices, appellate court
 25 19 judges, district court judges, district associate judges,
 25 20 judicial magistrates and staff, state court administrator,
 25 21 clerk of the supreme court, district court administrators,
 25 22 clerks of the district court, juvenile court officers, board
 25 23 of law examiners and board of examiners of shorthand reporters
 25 24 and judicial qualifications commission; receipt and
 25 25 disbursement of child support payments; reimbursement of the
 25 26 auditor of state for expenses incurred in completing audits of
 25 27 the offices of the clerks of the district court during the
 25 28 fiscal year beginning July 1, 2009; and maintenance,
 25 29 equipment, and miscellaneous purposes:
 25 30 \$ 149,184,957
 25 31 160,184,957
 25 32 As a condition of receiving an increase to the
 25 33 appropriation made in this section, the judicial branch shall
 25 34 allocate the first \$5,400,000 of the increased amount as
 25 35 follows: \$4,800,000 for the state's required contribution
 26 1 under section 602.9104 to the judicial retirement fund,
 26 2 \$350,000 for court debt collection, and \$250,000 for judicial
 26 3 officer and court employee travel reimbursement for civil
 26 4 trials.

Judicial Branch by \$11,000,000 compared to the estimated net FY 2009 appropriation. If the FY 2009 supplemental appropriation in Section 67 of the Bill is enacted, the FY 2010 General Fund net increase will be \$10,240,000 compared to the estimated net FY 2009 appropriation. Requires that the increase be expended as follows prior to other expenditures:

- \$4,800,000 for the State's required contribution to the Judicial Retirement Fund.
- \$350,000 for court debt collection. This includes \$115,000 for one-time programming costs and \$235,000 for on-going operations.
- \$250,000 for Judicial officer and court employee civil trial travel expenditures.

26 5 Sec. 67. JUDICIAL BRANCH. There is appropriated from the
 26 6 general fund of the state to the judicial branch for the
 26 7 fiscal year beginning July 1, 2008, and ending June 30, 2009,
 26 8 the following amount, or so much thereof as is necessary, to
 26 9 be used for the purposes designated:
 26 10 For the operations and duties of the judicial branch, and
 26 11 maintenance, equipment, and miscellaneous purposes:
 26 12 \$ 760,000

General Fund FY 2009 supplemental appropriation to the Judicial Branch.

DETAIL: The supplemental appropriation to the Judicial Branch will reduce two of the previously planned four furlough days for FY 2009. This Section is effective on enactment.

26 13 Sec. 68. DRUG COURT PROGRAMS. In addition to the
 26 14 appropriations in 2009 Iowa Acts, Senate File 475, section 5,

General Fund appropriations to the Community Based Corrections (CBC) District Departments for drug courts. These appropriations are

26 15 if enacted, and any other appropriations, there is
26 16 appropriated from the general fund of the state to the
26 17 department of corrections for the fiscal year beginning July
26 18 1, 2009, and ending June 30, 2010, the following amounts, or
26 19 so much thereof as is necessary, for maintaining drug court
26 20 programs in each county in which such a program exists as of
26 21 April 1, 2009, within a judicial district department of
26 22 correctional services, to be allocated as follows:

26 23 1. For the first judicial district department of
26 24 correctional services:
26 25 \$ 359,895

in addition to any other appropriations from various funding sources.
Requires the appropriations to be used to maintain drug courts in
existence on April 1, 2009.

General Fund appropriation to the First CBC District Department for
drug courts.

DETAIL: This amount includes \$182,116 to replace the FY 2009
Healthy Iowans Tobacco Trust (HITT) Fund appropriation and
\$177,779 to maintain the General Fund commitment for drug courts.
This amount is in addition to the \$12,883,094 the First CBC District
Department received for its operating budget in SF 475 (FY 2010
Justice System Appropriations Bill). Appropriations made in SF 475
do not include specific funds for drug courts.

26 26 2. For the second judicial district department of
26 27 correctional services:
26 28 \$ 252,799

General Fund appropriation to the Second CBC District Department
for drug courts.

DETAIL: This amount replaces the FY 2009 HITT Fund appropriation
for the drug courts. This amount is in addition to the \$10,843,473 the
Second CBC District Department received for its operating budget in
SF 475. Appropriations made in SF 475 do not include specific funds
for drug courts.

26 29 3. For the third judicial district department of
26 30 correctional services:
26 31 \$ 220,856

General Fund appropriation to the Third CBC District Department for a
drug court.

DETAIL: This amount replaces the FY 2009 HITT Fund appropriation
for the drug court. This amount is in addition to the \$5,718,746 the
Third CBC District Department received for its operating budget in SF
475. Appropriations made in SF 475 do not include specific funds for
drug courts.

26 32 4. For the fourth judicial district department of
26 33 correctional services:
26 34 \$ 318,752

General Fund appropriation to the Fourth CBC District Department for a drug court.

DETAIL: This amount includes \$210,547 to replace the FY 2009 HITT Fund appropriation and \$108,205 to maintain the General Fund commitment for the drug court. This amount is in addition to the \$5,436,248 the Fourth CBC District Department received for its operating budget in SF 475. Appropriations made in SF 475 do not include specific funds for drug courts.

26 35 5. For the fifth judicial district department of
27 1 correctional services:
27 2 \$ 319,582

General Fund appropriation to the Fifth CBC District Department for a drug court.

DETAIL: This amount replaces the FY 2009 HITT Fund appropriation for the drug court. This amount is in addition to the \$18,958,665 the Fifth CBC District Department received for its operating budget in SF 475. Appropriations made in SF 475 do not include specific funds for drug courts.

27 3 6. For the sixth judicial district department of
27 4 correctional services:
27 5 \$ 369,486

General Fund appropriation to the Sixth CBC District Department for drug courts.

DETAIL: This amount replaces the FY 2009 HITT Fund appropriation for the drug courts. This amount is in addition to the \$13,417,533 the Sixth CBC District Department received for its operating budget in SF 475. Appropriations made in SF 475 do not include specific funds for drug courts.

27 6 7. For the seventh judicial district department of
27 7 correctional services:
27 8 \$ 157,173

General Fund appropriation to the Seventh CBC District Department for a drug court.

DETAIL: This amount includes \$156,608 to replace the FY 2009 HITT Fund appropriation and \$565 to maintain the General Fund commitment for the drug court. This amount is in addition to the \$6,995,044 the Seventh CBC District Department received for its operating budget in SF 475. Appropriations made in SF 475 do not include specific funds for drug courts.

27 9 8. For the eighth judicial district department of
 27 10 correctional services:
 27 11 \$ 182,066

General Fund appropriation to the Eighth CBC District Department for a drug court.

DETAIL: This amount replaces the FY 2009 HITT Fund appropriation for the drug court. This amount is in addition to the \$6,919,964 the Eighth CBC District Department received for its operating budget in SF 475. Appropriations made in SF 475 do not include specific funds for drug courts.

27 12 It is the intent of the general assembly that each judicial
 27 13 district department of correctional services shall cooperate
 27 14 with and utilize local community-based treatment providers
 27 15 licensed under chapter 125. Each judicial district department
 27 16 of correctional services shall submit a report to the general
 27 17 assembly and to the co-chairpersons and ranking members of the
 27 18 joint appropriations subcommittee on the justice system, and
 27 19 the legislative services agency by December 15, 2009,
 27 20 detailing the utilization of drug court funds allocated in
 27 21 this section.

Specifies legislative intent that the judicial district department of correctional services cooperate and utilize local substance abuse treatment providers. Requires a report to the General Assembly, the Chairpersons and Ranking Members of the Justice System Appropriations Subcommittee, and the LSA regarding the utilization of the drug court funds by December 15, 2009.

27 22 Sec. 69. ADDITIONAL APPROPRIATION == DEPARTMENT OF PUBLIC
 27 23 SAFETY. In addition to the appropriations in 2009 Iowa Acts,
 27 24 Senate File 475, section 14, if enacted, and any other
 27 25 appropriations, there is appropriated from the general fund of
 27 26 the state to the department of public safety for the fiscal
 27 27 year beginning July 1, 2009, and ending June 30, 2010, the
 27 28 following amount, or so much thereof as is necessary, to be
 27 29 used for the purpose designated:
 27 30 For performing the duties of the department:
 27 31 \$ 1,576,987

Increases the FY 2010 General Fund appropriation to the Department of Public Safety for duties of the Department.

DETAIL: This is in addition to the FY 2010 appropriation of \$87,407,813 in SF 475 (FY 2010 Justice System Appropriations Bill). This amount replaces the reduction of \$1,576,987 in SF 475.

27 32 Sec. 70. VICTIM ASSISTANCE GRANTS. In addition to the
 27 33 appropriation in 2009 Iowa Acts, Senate File 475, section 1,
 27 34 if enacted, and any other appropriations, there is
 27 35 appropriated from the general fund of the state to the

Increases the FY 2010 General Fund appropriation to the Department of Justice for Victim Assistance Grants by \$1,000,000.

DETAIL: This is in addition to the FY 2010 appropriation of

28 1	department of justice for the fiscal year beginning July 1,	\$2,400,000 in SF 475 (FY 2010 Justice System Appropriations Bill).
28 2	2009, and ending June 30, 2010, the following amount, or so	
28 3	much thereof as is necessary, to be used for the purposes	
28 4	designated:	
28 5	For victim assistance grants:	
28 6 \$ 1,000,000	
28 7	Sec. 71. FAMILY LAW MEDIATION. Each judicial district is	Encourages judicial districts to implement a Family Law Mediation
28 8	encouraged to implement a family law mediation program	Program. Requires each judicial district to report to the Iowa
28 9	pursuant to section 598.7, to encourage the resolution of	Supreme Court by January 15, 2010, regarding the implementation
28 10	domestic relations disputes through facilitation of	decision.
28 11	communication and negotiation between parties in reaching	
28 12	voluntary agreements, rather than prolonged judicial,	
28 13	administrative, arbitral, or other adjudicative processes or	
28 14	proceedings. Each judicial district shall report to the	
28 15	supreme court by January 15, 2010, its decision regarding such	
28 16	implementation.	
28 17	Sec. 72. EFFECTIVE DATES.	Provisions increasing various court fees, providing an FY 2009
28 18	1. This division of this Act, being deemed of immediate	supplemental appropriation to the Judicial Branch, and making
28 19	importance, takes effect upon enactment.	additional FY 2010 appropriations to drug courts, the Department of
28 20	2. Notwithstanding subsection 1, the sections of this	Public Safety, and the Department of Justice for Victim Assistance
28 21	division of this Act amending 2009 Iowa Acts, Senate File 472,	Grants are effective on enactment. The FY 2010 appropriations take
28 22	section 1, subsection 1, unnumbered paragraph 2, appropriating	effect July 1, 2009.
28 23	moneys to the department of corrections for drug court	
28 24	programs, supplementing appropriations to the department of	
28 25	public safety for duties of the department, and supplementing	
28 26	appropriations to the department of justice for victim	
28 27	assistance grants, take effect July 1, 2009.	
28 28	DIVISION VI	
28 29	TRANSPORTATION PROVISIONS	
28 30	Sec. 73. DEPARTMENT OF TRANSPORTATION.	CODE: Primary Road Fund supplemental appropriation for FY 2009
28 31	1. There is appropriated from the primary road fund to the	to the Department of Transportation for the purchase of salt.

28 32 department of transportation for the fiscal year beginning
 28 33 July 1, 2008, and ending June 30, 2009, the following amount,
 28 34 or so much thereof as is necessary, to be used for the
 28 35 purposes designated:

29 1 For the purchase of salt:

29 2 \$ 2,271,600

29 3 2. Notwithstanding section 8.33, moneys appropriated in
 29 4 this section that remain unencumbered or unobligated at the
 29 5 close of the fiscal year shall not revert but shall remain
 29 6 available for expenditure for the designated purpose until the
 29 7 close of the succeeding fiscal year.

DETAIL: The supplemental appropriation will be used to purchase an additional 36,000 tons of salt in FY 2009 under the current contract. Salt costs in FY 2010 are projected to be 10.00% higher than in FY 2009. It is estimated that making the purchase in FY 2009 will save an estimated \$216,000 as opposed to waiting until FY 2010. Specifies that the funds carry forward from FY 2009 to FY 2010. This Section is effective on enactment.

29 8 Sec. 74. Section 321H.3, subsection 2, Code 2009, as
 29 9 amended by 2009 Acts, Senate File 419, if enacted, is amended
 29 10 to read as follows:

29 11 2. Dismantling, scrapping, recycling, or salvaging ~~or~~
 29 12 ~~obtaining a junking certificate for~~ more than six vehicles
 29 13 subject to registration in a twelve=month period.

CODE: Strikes the prohibition of licensed vehicle recyclers from obtaining a junking certificate for more than six vehicles subject to registration in a 12-month period.

29 14 Sec. 75. REIMBURSEMENT TO CITY OF MUSCATINE. There is
 29 15 appropriated from the road use tax fund to the department of
 29 16 transportation for the fiscal year beginning July 1, 2009, and
 29 17 ending June 30, 2010, the following amount, or so much thereof
 29 18 as is necessary, to be used for the purposes designated:

29 19 To reimburse the city of Muscatine for costs associated
 29 20 with implementation of section 314.29:

29 21 \$ 1,072

Road Use Tax Fund (RUTF) appropriation for FY 2010 to the Department of Transportation for reimbursement to the city of Muscatine for sign costs associated with the renaming of the "Dick Drake Way" industrial connector in Muscatine.

DETAIL: Legislation enacted in 2008 renamed the industrial connector in Muscatine "Dick Drake Way" in honor of Senator Richard Drake. The city of Muscatine erected a sign along the Connector naming it "Dick Drake Way".

29 22 Sec. 76. PAYMENT OF CEDAR FALLS ASSESSMENT. There is
 29 23 appropriated from the road use tax fund to the department of
 29 24 transportation for the fiscal year beginning July 1, 2009, and
 29 25 ending June 30, 2010, the following amount, or so much thereof
 29 26 as is necessary, to be used for the purpose designated:

29 27 For payment pursuant to section 307.45, to the city of
 29 28 Cedar Falls for improvements to west twenty=third street

Road Use Tax Fund appropriation for FY 2010 to the Department of Transportation for payment to the city of Cedar Falls for improvements to West 23rd Street adjoining University of Northern Iowa property.

29 29 adjoining university of northern Iowa property:
29 30 \$ 317,906

29 31 Sec. 77. Section 307.45, unnumbered paragraph 4, Code
29 32 2009, is amended by striking the unnumbered paragraph.

CODE: Permits a county or city to assess State-owned property, other than that owned or controlled by the Department of Transportation, in an amount greater than \$60,000 without an appropriation.

29 33 Sec. 78. Section 321J.12, subsection 2, paragraph d, Code
29 34 2009, is amended to read as follows:
29 35 d. A person whose license or privileges have been revoked
30 1 under subsection 1, paragraph "b", for one year shall not be
30 2 eligible for any temporary restricted license for forty-five
30 3 days after the effective date of the revocation if the person
30 4 has had one previous revocation under this chapter, or for one
30 5 year after the effective date of the revocation, and the if
30 6 the person has had more than one previous revocation under
30 7 this chapter. The person shall be ordered to install an
30 8 ignition interlock device of a type approved by the
30 9 commissioner of public safety on all vehicles owned or
30 10 operated by the defendant if the defendant seeks a temporary
30 11 restricted license at the end of the minimum period of
30 12 ineligibility. A temporary restricted license shall not be
30 13 granted by the department until the defendant installs the
30 14 ignition interlock device.

CODE: Prohibits a person from being eligible for a temporary restricted license for 45 days after the effective date of the revocation if the person has had one previous revocation for operating while intoxicated, or for one year after the effective date of the revocation if the person has had more than one previous revocation for operating a vehicle while intoxicated.

30 15 Sec. 79. EFFECTIVE DATE. The section of this division of
30 16 this Act relating to the appropriation from the primary road
30 17 fund to the department of transportation for the purchase of
30 18 salt, being deemed of immediate importance, takes effect upon
30 19 enactment.

The Primary Road Fund supplemental appropriation for FY 2009 to the Department of Transportation for the purchase of salt is effective on enactment.

30 20 DIVISION VII
30 21 MISCELLANEOUS APPROPRIATIONS

30 22 Sec. 80. There is appropriated from the general fund of
 30 23 the state to the council on homelessness for the fiscal year
 30 24 beginning July 1, 2009, and ending June 30, 2010, the
 30 25 following amount, or so much thereof as is necessary, to be
 30 26 used for the purposes designated:
 30 27 For the payment of expenses provided under section 16.100A,
 30 28 subsection 6, paragraph "d":
 30 29 \$ 5,000

General Fund appropriation to the Council on Homelessness for reimbursement of expenditures to certain members of the Council in FY 2010.

DETAIL: This is a new appropriation for FY 2010. The Council is within the Iowa Finance Authority for State government organizational purposes.

30 30 Sec. 81. FARMERS WITH DISABILITIES. There is appropriated
 30 31 from the general fund of the state to the department of
 30 32 education, vocational rehabilitation services division for the
 30 33 fiscal year beginning July 1, 2009, and ending June 30, 2010,
 30 34 the following amount, or so much thereof as is necessary, to
 30 35 be used for the purposes designated:
 31 1 For a program for farmers with disabilities:
 31 2 \$ 108,000

General Fund appropriation to the Vocational Rehabilitation Services Division of the Department of Education for a Farmers with Disabilities Program.

DETAIL: In FY 2009 and FY 2008, this Program was funded within the University of Iowa Agriculture and Health Safety appropriation at \$130,000 and \$126,713 respectively. In FY 2007, this Program was funded through Vocational Rehabilitation with \$140,000. The FY 2010 appropriation is a decrease of \$18,713 compared to the estimated net FY 2009 appropriation to the University of Iowa.

31 3 Moneys appropriated for purposes of this section shall be
 31 4 used for the public purpose of providing a grant to a national
 31 5 nonprofit organization with over 80 years of experience in
 31 6 assisting children and adults with disabilities and special
 31 7 needs. The funds shall be used for a nationally recognized
 31 8 program that began in 1986 and has been replicated in at least
 31 9 30 other states, but which is not available through any other
 31 10 entity in this state, that provides assistance to farmers with
 31 11 disabilities in all 99 counties to allow the farmers to remain
 31 12 in their own homes and be gainfully engaged in farming through
 31 13 provision of agricultural worksite and home modification
 31 14 consultations, peer support services, services to families,
 31 15 information and referral, and equipment loan services.

Requires the funding for the Farmers with Disabilities Program to be provided as a grant to Easter Seals Iowa. Requires the funds to be used for certain services.

31 16 Sec. 82. RACING AND GAMING COMMISSION. There is
 31 17 appropriated from the general fund of the state to the racing

31 18 and gaming commission for the fiscal year beginning July 1,
 31 19 2009, and ending June 30, 2010, the following amount, or so
 31 20 much thereof as is necessary, to be used for the purposes
 31 21 designated:

31 22 1. RACETRACK REGULATION

31 23 For salaries, support, maintenance, and miscellaneous
 31 24 purposes and for the regulation of pari-mutuel racetracks:
 31 25 \$ 277,374

General Fund appropriation for FY 2010 to the Racing and Gaming Commission for racetrack regulation.

DETAIL: These funds are repaid by the racetracks that are regulated.

31 26 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION

31 27 For salaries, support, maintenance, and miscellaneous
 31 28 purposes and for administration and enforcement of the
 31 29 excursion boat gambling and gambling structure laws:
 31 30 \$ 321,316

General Fund appropriation for FY 2010 to the Racing and Gaming Commission for excursion boat and gambling structure regulation.

DETAIL: These funds are repaid by the boats and structures regulated.

31 31 Sec. 83. 2009 Iowa Acts, Senate File 470, section 10,
 31 32 subsection 2, paragraph b, if enacted, is amended to read as
 31 33 follows:
 31 34 ~~b. Center for disabilities and development~~
 31 35 ~~For salaries, support, maintenance, miscellaneous purposes,~~
 32 1 ~~and for not more than the following full-time equivalent~~
 32 2 ~~positions:~~
 32 3 ~~..... \$ 6,335,993~~
 32 4 ~~..... FTEs 130.37~~
 32 5 ~~From the moneys appropriated in this lettered paragraph,~~
 32 6 ~~\$182,140 shall be allocated for purposes of the employment~~
 32 7 ~~policy group.~~

CODE: Eliminates the FY 2010 General Fund appropriation of \$6,335,993 to the University of Iowa for the Center for Disabilities and Development and the corresponding FTE positions from SF 470 (FY 2010 Education Appropriations Bill). The funds are restored to the University through changes to the disproportionate share funding to hospitals in Section 84. Eliminates the allocation to the Employment Policy Group that was formerly known as the Creative Employment Options Program.

32 8 Sec. 84. 2009 Iowa Acts, House File 811, section 9,
 32 9 unnumbered paragraph 2, if enacted, is amended to read as
 32 10 follows:
 32 11 For medical assistance reimbursement and associated costs
 32 12 as specifically provided in the reimbursement methodologies in
 32 13 effect on June 30, 2009, except as otherwise expressly

CODE: General Fund appropriation to the Medicaid Program for FY 2010.

DETAIL: This is an increase of \$4,335,993 compared to the appropriation made in HF 811 (FY 2010 Health and Human Services Appropriations Bill). The increase is for additional funding for

32 14 authorized by law, including reimbursement for abortion
 32 15 services which shall be available under the medical assistance
 32 16 program only for those abortions which are medically
 32 17 necessary:
 32 18 \$ 677,613,847
 32 19 681,949,840

disproportionate share hospital payments.

32 20 Sec. 85. 2009 Iowa Acts, House File 811, section 9,
 32 21 subsection 12, if enacted, is amended to read as follows:
 32 22 12. a. Of the funds appropriated in this section,
 32 23 ~~\$2,687,889~~ \$7,023,882 is allocated for state match for
 32 24 disproportionate share hospital payment of ~~\$7,321,954~~
 32 25 \$19,133,430 to hospitals that meet both of the following
 32 26 conditions:
 32 27 (1) The hospital qualifies for disproportionate share and
 32 28 graduate medical education payments.
 32 29 (2) The hospital is an Iowa state-owned hospital with more
 32 30 than 500 beds and eight or more distinct residency specialty
 32 31 or subspecialty programs recognized by the American college of
 32 32 graduate medical education.
 32 33 b. Distribution of the disproportionate share payment
 32 34 shall be made on a monthly basis. The total amount of
 32 35 disproportionate share payments including graduate medical
 33 1 education, enhanced disproportionate share, and Iowa
 33 2 state-owned teaching hospital payments shall not exceed the
 33 3 amount of the state's allotment under Pub. L. No. 102=234. In
 33 4 addition, the total amount of all disproportionate share
 33 5 payments shall not exceed the hospital-specific
 33 6 disproportionate share limits under Pub. L. No. 103=66.

CODE: Allocates \$7,023,882 of the FY 2010 General Fund appropriation for Medicaid for the State match for the disproportionate share hospital payment of \$19,133,430.

DETAIL: This is an increase of \$4,270,827 compared to the FY 2009 allocation. The increase will draw an additional \$11,811,476 in federal funding participation in FY 2010.

33 7 c. The department shall amend the medical assistance state
 33 8 plan as necessary to implement the provisions of this
 33 9 subsection. If the state plan amendment is not approved as
 33 10 submitted or there are changes in federal policies or
 33 11 application of federal policies that impact the distribution
 33 12 of disproportionate share hospital payments, the department

CODE: Requires the Department of Human Services to amend the Medicaid State Plan to implement the additional increase in State match for the disproportionate share hospital payment.

33 13 shall immediately notify the governor and the general
 33 14 assembly.

33 15 Sec. 86. TUITION GRANTS == APPROPRIATION. There is
 33 16 appropriated from the general fund of the state to the college
 33 17 student aid commission for the fiscal year beginning July 1,
 33 18 2009, and ending June 30, 2010, the following amount, or so
 33 19 much thereof as is necessary, to be used for the purposes
 33 20 designated:
 33 21 For tuition grants as provided under section 261.25,
 33 22 subsection 1:
 33 23 \$ 2,000,000

General Fund appropriation for FY 2010 to the Iowa College Student Aid Commission for the Iowa Tuition Grant Program.

DETAIL: The Program receives an FY 2010 General Fund appropriation of \$45,213,069 in SF 470 (FY 2010 Education Appropriations Bill). With this additional \$2,000,000 appropriation, the net decrease compared to the estimated net FY 2009 appropriation is \$2,109,543.

33 24 Sec. 87. 2009 Iowa Acts, Senate File 467, section 1, if
 33 25 enacted, is amended by adding the following new subsection:
 33 26 NEW SUBSECTION . 3. Of the amount appropriated in this
 33 27 section, \$238,000 is transferred to Iowa state university of
 33 28 science and technology, to be used for the university's
 33 29 midwest grape and wine industry institute.

CODE: Requires \$238,000 of the General Fund appropriation for FY 2010 to the Iowa Department of Agriculture and Land Stewardship to be transferred to the Midwest Grape and Wine Industry Institute at Iowa State University.

33 30 Sec. 88. DEPARTMENT OF REVENUE. There is appropriated
 33 31 from the general fund of the state to the department of
 33 32 revenue for the fiscal year beginning July 1, 2009, and ending
 33 33 June 30, 2010, the following amount, or so much thereof as is
 33 34 necessary, to be used for the purposes designated:
 33 35 For salaries, support, maintenance, and miscellaneous
 34 1 purposes:
 34 2 \$ 2,500,000

General Fund appropriation for FY 2010 to the Department of Revenue for maintaining staff for examination and audit functions.

DETAIL: This is in addition to the General Fund appropriation of \$22,754,688 for FY 2010 in HF 809 (FY 2010 Administration and Regulation Appropriations Bill).

34 3 Sec. 89. GOVERNOR AND LIEUTENANT GOVERNOR. There is
 34 4 appropriated from the general fund of the state to the offices
 34 5 of the governor and the lieutenant governor for the fiscal
 34 6 year beginning July 1, 2009, and ending June 30, 2010, the
 34 7 following amount, or so much thereof as is necessary, to be

General Fund appropriation to the Offices of the Governor and Lt. Governor for operations.

DETAIL: This is in addition to the General Fund appropriation of \$1,893,8578 for FY 2010 in HF 809 (FY 2010 Administration and

34 8 used for the purposes designated:	Regulation Appropriations Bill).
34 9 For salaries, support, maintenance, and miscellaneous	.
34 10 purposes for the general office of the governor and the	
34 11 general office of the lieutenant governor:	
34 12 \$ 400,000	
34 13 Sec. 90. WORKFORCE DEVELOPMENT == FIELD OFFICES. There is	Special Employment Security Contingency Fund appropriation for FY
34 14 appropriated from the special employment security contingency	2010 to the Department of Workforce Development for field office
34 15 fund to the department of workforce development for the fiscal	expenditures.
34 16 year beginning July 1, 2009, and ending June 30, 2010, the	
34 17 following amount, or so much thereof as is necessary, to be	DETAIL: This is a new appropriation for FY 2010.
34 18 used for the purposes designated:	
34 19 For field offices:	
34 20 \$ 360,000	
34 21 Sec. 91. IOWA POWER FUND. There is appropriated from the	General Fund appropriation to the Office of Energy Independence for
34 22 general fund of the state to the office of energy independence	the Iowa Power Fund for FY 2010.
34 23 for the fiscal year beginning July 1, 2009, and ending June	
34 24 30, 2010, the following amount, or so much thereof as is	DETAIL: This is in addition to the FY 2010 appropriation of
34 25 necessary, to be used for the purposes designated:	\$20,000,000 for the Iowa Power Fund in Section 4.5 of this Bill.
34 26 For deposit in the Iowa power fund:	
34 27 \$ 4,000,000	
34 28 Sec. 92. COMMERCIAL SERVICE AIRPORTS. There is	General Fund appropriation to the Department of Transportation for
34 29 appropriated from the general fund of the state to the	FY 2010 for commercial service airport infrastructure improvements.
34 30 department of transportation for the fiscal year beginning	
34 31 July 1, 2009, and ending June 30, 2010, the following amount,	DETAIL: Maintains the current level of funding if SF 376 (Revenue
34 32 or so much thereof as is necessary, to be used for the	Bonds and I-JOBS Program Bill) is enacted. Commercial service
34 33 purposes designated:	airports received an FY 2009 appropriation from the planned
34 34 For infrastructure improvements at the commercial service	securitization of the tobacco payments that did not occur. The FY
34 35 airports within the state:	2009 funding was restored in SF 376. Commercial service airports
35 1 \$ 1,500,000	include Burlington, Cedar Rapids, Des Moines, Dubuque, Fort Dodge,
	Mason City, Sioux City, and Waterloo.
35 2 Fifty percent of the moneys appropriated in this section	Delineates the allocation of the \$1,500,000 appropriation with
	\$750,000 divided equally between each of the commercial service

35 3 shall be allocated equally between each commercial air service
 35 4 airport, 40 percent of the moneys shall be allocated based on
 35 5 the percentage that the number of enplaned passengers at each
 35 6 commercial air service airport bears to the total number of
 35 7 enplaned passengers in the state during the previous fiscal
 35 8 year, and 10 percent of the moneys shall be allocated based on
 35 9 the percentage that the air cargo tonnage at each commercial
 35 10 air service airport bears to the total air cargo tonnage in
 35 11 the state during the previous fiscal year. In order for a
 35 12 commercial air service airport to receive funding under this
 35 13 section, the airport shall be required to submit applications
 35 14 for funding of specific projects to the department for
 35 15 approval by the state transportation commission.

airports, \$600,000 based on the percentage of enplaned passengers during the previous fiscal year, and \$150,000 based on each airport's proportion of air cargo tonnage during the previous fiscal year. Requires the airports to submit an application for specific projects to be funded by the State Transportation Commission.

35 16 Sec. 93. JOBS FOR AMERICA'S GRADUATES. There is
 35 17 appropriated from the general fund of the state to the
 35 18 department of education for the fiscal year beginning July 1,
 35 19 2009, and ending June 30, 2010, the following amount, or so
 35 20 much thereof as is necessary, to be used for the purposes
 35 21 designated:
 35 22 For school districts to provide direct services to the most
 35 23 at-risk senior high school students enrolled in school
 35 24 districts through direct intervention by a jobs for America's
 35 25 graduates specialist:
 35 26 \$ 600,000

General Fund appropriation for FY 2010 to the Department of Education for Jobs for America's Graduates.

DETAIL: This is an increase of \$9,000 compared to the estimated net FY 2009 appropriation. Restores funding to the FY 2008 level.

35 27 Sec. 94. EMPLOYEE MISCLASSIFICATION PROGRAM == GENERAL
 35 28 FUND. There is appropriated from the general fund of the
 35 29 state to the department of workforce development for the
 35 30 fiscal year beginning July 1, 2009, and ending June 30, 2010,
 35 31 the following amount, or so much thereof as is necessary, to
 35 32 be used for the purposes designated:
 35 33 For enhancing efforts to investigate employers that
 35 34 misclassify workers:
 35 35 \$ 500,000

General Fund appropriation for FY 2010 to the Department of Workforce Development for investigation of employers that misclassify workers.

DETAIL: This is a new appropriation for FY 2010.

36 1 Sec. 95. EMPLOYEE MISCLASSIFICATION PROGRAM == SPECIAL
36 2 EMPLOYMENT SECURITY CONTINGENCY FUND. For the fiscal year
36 3 beginning July 1, 2009, and ending June 30, 2010, the
36 4 department of workforce development may use up to \$250,000
36 5 from the employment security contingency fund for enhancing
36 6 efforts to investigate employers that misclassify workers.

Permits the Department of Workforce Development to use up to \$250,000 of the Employment Security Contingency Fund to investigate employers that misclassify workers in FY 2010.

36 7 Sec. 96. INDIGENT DEFENSE PROGRAM. There is appropriated
36 8 from the general fund of the state to the office of state
36 9 public defender of the department of inspections and appeals
36 10 for the fiscal year beginning July 1, 2008, and ending June
36 11 30, 2009, the following amount, or so much thereof as is
36 12 necessary, for the purposes designated:
36 13 For the indigent defense program:
36 14 \$ 2,200,000

General Fund supplemental appropriation for FY 2009 to the Department of Inspections and Appeals for the State Public Defender

36 15 Sec. 97. EFFECTIVE DATE. The section of this division of
36 16 this Act, relating to an appropriation to the office of state
36 17 public defender of the department of inspections and appeals,
36 18 being deemed of immediate importance, takes effect upon
36 19 enactment.

The FY 2009 General Fund supplemental appropriation to the Department of Inspections and Appeals for the State Public Defender is effective on enactment.

36 20 DIVISION VIII
36 21 MISCELLANEOUS STATUTORY CHANGES

36 22 Sec. 98. COUNTY LAND RECORD INFORMATION SYSTEM == PROJECT
36 23 MANAGER. If Senate File 465, relating to the duties of county
36 24 recorders, fees collected by the county recorders, and the
36 25 county land record information system, is enacted by the
36 26 Eighty-third General Assembly and signed into law by the

Contingent requirement that the Governing Board of the County Land Record Information System terminate the project manager contract if SF 465 (County Identity Theft Protection Bill) is enacted. Requires the Governing Board to initiate a new request for proposals for a project manager.

36 27 governor, the governing board of the county land record
36 28 information system shall immediately terminate any existing
36 29 contract with a project manager if such termination prior to
36 30 the end of the contract term is permitted under the contract.
36 31 Following such termination the governing board of the county
36 32 land record information system shall initiate a new request
36 33 for proposals for a project manager.

DETAIL: Senate File 465 (Identify Theft Protection Bill) requires each county recorder that displays electronic documents to implement a system for redacting personally identifiable information by December 31, 2011. The Bill increases the electronic transaction fee from \$1.00 to \$3.00 per recorded transaction from July 1, 2009, to June 30, 2011, to assist with the software and services associated with redaction. The estimated fiscal impact of the fee increase is an increase of \$1,200,000 each year in FY 2010 and FY 2011.

Requests for proposals were submitted to redaction service providers, and 15 bids were received. An evaluation committee reviewed the bids, narrowing the 15 providers to four. Any decision relating to a redaction service provider is contingent on the passage of SF 465.

NOTE: Senate File 465 was enacted by the General Assembly on April 24, 2009, and signed by the Governor on May 26, 2009.

36 34 Sec. 99. GLENWOOD STATE PRESERVE. Portions of the
36 35 property of the Glenwood state resource center that are not
37 1 necessary to the operation of the center and that have been
37 2 determined to be archaeologically and environmentally
37 3 significant by the state archaeologist, shall be transferred
37 4 to the jurisdiction of the department of natural resources.
37 5 The director of the department of human services shall execute
37 6 such real estate transfer documents as are necessary to
37 7 transfer such real property of the Glenwood state resource
37 8 center, as identified in contract completion report No. 1553
37 9 (2007) of the state archaeologist, to the department of
37 10 natural resources. The state advisory board for preserves
37 11 shall assess the natural condition, character, and features of
37 12 the transferred property and make recommendations for the
37 13 establishment of a state preserve on the property. The
37 14 department of natural resources may establish agreements with
37 15 governmental bodies and independent nonprofit agencies to
37 16 construct recreational and educational facilities on the
37 17 transferred property, such as, but not limited to, event
37 18 facilities and interpretive centers.

Transfers portions of the Glenwood State Resources Center that have archeological significance from the Department of Human Services to the Department of Natural Resources (DNR). Requires the State Preserves Advisory Board to assess the area and make recommendations for the establishment of the Glenwood State Preserve.

DETAIL: The Glenwood site has archeological significance as there are over 80 earthlodge houses built in the hills. These sites date back to 1050 to 1250 A.D. The transfer of land will allow the DNR to work with other governmental bodies and nonprofit organizations to develop the Preserve that will include recreational and educational facilities.

37 19 Sec. 100. DISASTER=IMPACTED EXEMPTION. Notwithstanding
37 20 the requirement for the filing of a claim for property tax
37 21 exemption by February 1, and notwithstanding any other
37 22 provisions to the contrary, a society or organization claiming
37 23 an exemption under section 427.1, subsection 14, may file for
37 24 an exemption with the local assessor by May 1, 2009, for
37 25 property that is located in a county declared a disaster area
37 26 in calendar year 2008, if the society or organization was
37 27 unable to file for the exemption as a result of the inability
37 28 or failure to file for the exemption caused by the need to
37 29 respond to a natural disaster occurring in calendar year 2008.

CODE: Permits a war veteran, a religious, literary, or charitable organization, or an Indian housing authority to file a claim for property tax exemption regardless of whether or not the claim is timely filed (February 1, 2009) or for failure to comply with any other provision of law related to the exemption. To qualify for the special treatment, the property must be located in a 2008 disaster area and the reason for missing the deadline must relate to the organization's response to a 2008 natural disaster. This provision is effective on enactment.

DETAIL: This provision is expected to have minimal fiscal impact.

37 30 Sec. 101. NEW SECTION . 7D.16 ALCOHOLIC BEVERAGES IN
37 31 STATE CAPITOL OR ON COMPLEX GROUNDS.
37 32 Notwithstanding any contrary provision of law prohibiting
37 33 the use and consumption of alcoholic beverages in a public
37 34 place, the executive council may authorize, by resolution, the
37 35 temporary use and consumption of alcoholic beverages, as
38 1 defined in section 123.3, in the state capitol or on the state
38 2 capitol complex grounds, as if the state capitol or state
38 3 capitol complex grounds were a private place. The
38 4 authorization by resolution shall be limited to the use and
38 5 consumption of alcoholic beverages as an accompaniment to food
38 6 at a single award ceremony, social event, or other occasion
38 7 deemed appropriate by the executive council. The
38 8 authorization shall require that the person providing the food
38 9 and alcoholic beverages possess an appropriate liquor control
38 10 license in accordance with section 123.95. The secretary of
38 11 the executive council shall inform the secretary of the
38 12 legislative council and the director of the department of
38 13 administrative services of the approval of any such
38 14 resolution.

CODE: Permits the Executive Council to adopt a resolution to permit use and consumption of alcoholic beverages as an accompaniment to food in the State Capitol or on the State Capitol Complex grounds for certain purposes and events. Requires notification to the Secretary of the Legislative Council and the Director of the Department of Administrative Services.

38 15 Sec. 102. Section 15.335, subsection 4, paragraph b, Code
38 16 2009, is amended to read as follows:
38 17 b. For purposes of this section, "Internal Revenue Code"

CODE: Updates Iowa's research activities tax credit to include changes to the federal Internal Revenue Code made between January 1, 2008, and January 1, 2009. The change is retroactive to January 1,

38 18 means the Internal Revenue Code in effect on January 1, 2008
38 19 2009 .

2008, for tax years beginning on or after that date.

38 20 Sec. 103. Section 15A.9, subsection 8, paragraph e,
38 21 subparagraph (2), Code 2009, is amended to read as follows:
38 22 (2) For purposes of this subsection, "Internal Revenue
38 23 Code" means the Internal Revenue Code in effect on January 1,
38 24 ~~2008~~ 2009 .

CODE: Updates Iowa's research activities tax credit to include changes to the federal Internal Revenue Code made between January 1, 2008, and January 1, 2009. The change is retroactive to January 1, 2008, for tax years beginning on or after that date.

38 25 Sec. 104. Section 15E.196, subsection 1, paragraph b, Code
38 26 2009, is amended by striking the paragraph.

CODE: Strikes the enterprise zone housing assistance program. The program allows a 1.50% withholding tax credit for qualified housing projects. This credit is no longer utilized.

38 27 Sec. 105. Section 15E.305, subsection 1, Code 2009, is
38 28 amended to read as follows:
38 29 1. For tax years beginning on or after January 1, 2003, a
38 30 tax credit shall be allowed against the taxes imposed in
38 31 chapter 422, divisions II, III, and V, and in chapter 432, and
38 32 against the moneys and credits tax imposed in section 533.329
38 33 equal to ~~twenty~~ twenty-five percent of a taxpayer's endowment
38 34 gift to an endow Iowa qualified community foundation. An
38 35 individual may claim a tax credit under this section of a
39 1 partnership, limited liability company, S corporation, estate,
39 2 or trust electing to have income taxed directly to the
39 3 individual. The amount claimed by the individual shall be
39 4 based upon the pro rata share of the individual's earnings
39 5 from the partnership, limited liability company, S
39 6 corporation, estate, or trust. A tax credit shall be allowed
39 7 only for an endowment gift made to an endow Iowa qualified
39 8 community foundation for a permanent endowment fund
39 9 established to benefit a charitable cause in this state. The
39 10 amount of the endowment gift for which the tax credit is
39 11 claimed shall not be deductible in determining taxable income
39 12 for state income tax purposes. Any tax credit in excess of
39 13 the taxpayer's tax liability for the tax year may be credited
39 14 to the tax liability for the following five years or until

CODE: Modifies the Endow Iowa Tax Credit effective for tax year 2010. The changes include:

- Increases the credit percentage from 20.00% to 25.00% of the qualified contribution.
- Prevents a taxpayer claiming the Endow Iowa Tax Credit from also claiming an Iowa income tax deduction for the same contribution.
- Increases the annual cap on total tax credits for the Endow Iowa Tax Credit from \$2,000,000 to \$3,000,000.

DETAIL: The net impact of changes to the Endow Iowa Tax Credit program will increase net General Fund revenue by \$305,000, beginning in FY 2011. These changes are effective for tax year 2010.

39 15 depleted, whichever occurs first. A tax credit shall not be
39 16 carried back to a tax year prior to the tax year in which the
39 17 taxpayer claims the tax credit.
39 18 Sec. 106. Section 15E.305, subsection 2, unnumbered
39 19 paragraph 1, Code 2009, is amended to read as follows:
39 20 The aggregate amount of tax credits authorized pursuant to
39 21 this section shall not exceed a total of ~~two~~ three million
39 22 dollars plus such additional credit amount as provided by this
39 23 section annually. The maximum amount of tax credits granted
39 24 to a taxpayer shall not exceed five percent of the aggregate
39 25 amount of tax credits authorized.

39 26 Sec. 107. Section 26.3, subsection 2, Code 2009, is
39 27 amended to read as follows:
39 28 2. A governmental entity shall have an engineer licensed
39 29 under chapter 542B, a landscape architect licensed under
39 30 chapter 544B, or an architect registered under chapter 544A
39 31 prepare plans and specifications, and calculate the estimated
39 32 total cost of a proposed public improvement. A governmental
39 33 entity shall ensure that sufficient paper copies of the plans,
39 34 specifications, and estimated total costs of the proposed
39 35 public improvement are available for prospective bidders.

CODE: Requires a governmental entity to provide paper copies of certain bidding information for public improvement contracts for prospective bidders.

40 1 Sec. 108. Section 35C.1, subsection 1, Code 2009, as
40 2 amended by 2009 Iowa Acts, Senate File 186, section 1, if
40 3 enacted, is amended by striking the subsection and inserting
40 4 in lieu thereof the following:
40 5 1. In every public department and upon all public works in
40 6 the state, and of the counties, cities, and school
40 7 corporations of the state, veterans who are citizens and
40 8 residents of the United States are entitled to preference in
40 9 appointment and employment over other applicants of no greater
40 10 qualifications. The preference in appointment and employment
40 11 for employees of cities under a municipal civil service is the
40 12 same as provided in section 400.10. For purposes of this
40 13 section, "veteran" means as defined in section 35.1 except

CODE: Eliminates the requirement that a veteran be a resident of the State for preference in certain employment and appointments.

40 14 that the requirement that the person be a resident of this
40 15 state shall not apply.

40 16 Sec. 109. Section 85.71, subsection 1, paragraph a, Code
40 17 2009, is amended to read as follows:

40 18 a. The employer has a place of business in this state and
40 19 the employee regularly works at or from that place of
40 20 business, or the employer has a place of business in this
40 21 state and the employee is domiciled in this state.

CODE: Includes a place of business in the State if an employee is domiciled in this State when determining eligibility for workers' compensation when an injury may occur outside of Iowa.

40 22 Sec. 110. Section 86.13, Code 2009, is amended to read as
40 23 follows:

40 24 86.13 COMPENSATION PAYMENTS.

40 25 1. If an employer or insurance carrier pays weekly
40 26 compensation benefits to an employee, the employer or
40 27 insurance carrier shall file with the workers' compensation
40 28 commissioner in the form and manner required by the workers'
40 29 compensation commissioner a notice of the commencement of the
40 30 payments. The payments establish conclusively that the
40 31 employer and insurance carrier have notice of the injury for
40 32 which benefits are claimed but the payments do not constitute
40 33 an admission of liability under this chapter or chapter 85,
40 34 85A, or 85B.

40 35 2. If an employer or insurance carrier fails to file the
41 1 notice required by this section, the failure stops the running
41 2 of the time periods in section 85.26 as of the date of the
41 3 first payment. If commenced, the payments shall be terminated
41 4 only when the employee has returned to work, or upon thirty
41 5 days' notice stating the reason for the termination and
41 6 advising the employee of the right to file a claim with the
41 7 workers' compensation commissioner.

41 8 3. This section does not prevent the parties from reaching
41 9 an agreement for settlement regarding compensation. However,
41 10 the agreement is valid only if signed by all parties and
41 11 approved by the workers' compensation commissioner.

41 12 4. a. If a denial, a delay in commencement payment, or a

CODE: Provides additional workers' compensation benefits, of up to 50.00% of the benefits wrongfully withheld, when benefits are unreasonably denied, delayed in payment, or terminated, if the action occurs without reasonable excuse that was known to the employer or insurance carrier at the time the benefits were denied, delayed in payment, or terminated.

To be considered reasonable, the excuse must be preceded by a reasonable investigation and evaluation by the employer or insurance carrier of whether benefits were owed to the employee; the results of the reasonable investigation and evaluation must be the actual basis the employer or insurance carrier contemporaneously relied on in executing the denial, delay in payment, or termination of benefits; and the employer or insurance carrier must convey the basis for the denial, delay in payment, or termination of benefits to the employee contemporaneously with such denial, delay in payment, or termination.

41 13 termination of benefits occurs without reasonable or probable
 41 14 cause or excuse known to the employer or insurance carrier at
 41 15 the time of the denial, delay in payment, or termination of
 41 16 benefits , the workers' compensation commissioner shall award
 41 17 benefits in addition to those benefits payable under this
 41 18 chapter, or chapter 85, 85A, or 85B, up to fifty percent of
 41 19 the amount of benefits that were ~~unreasonably~~ denied, delayed ,
 41 20 or denied terminated without reasonable or probable cause or
 41 21 excuse .
 41 22 b. The workers' compensation commissioner shall award
 41 23 benefits under this subsection if the commissioner finds both
 41 24 of the following facts:
 41 25 (1) The employee has demonstrated a denial, delay in
 41 26 payment, or termination of benefits.
 41 27 (2) The employer has failed to prove a reasonable or
 41 28 probable cause or excuse for the denial, delay in payment, or
 41 29 termination of benefits.
 41 30 c. In order to be considered a reasonable or probable
 41 31 cause or excuse under paragraph "b", an excuse shall satisfy
 41 32 all of the following criteria:
 41 33 (1) The excuse was preceded by a reasonable investigation
 41 34 and evaluation by the employer or insurance carrier into
 41 35 whether benefits were owed to the employee.
 42 1 (2) The results of the reasonable investigation and
 42 2 evaluation were the actual basis upon which the employer or
 42 3 insurance carrier contemporaneously relied to deny, delay
 42 4 payment of, or terminate benefits.
 42 5 (3) The employer or insurance carrier contemporaneously
 42 6 conveyed the basis for the denial, delay in payment, or
 42 7 termination of benefits to the employee at the time of the
 42 8 denial, delay, or termination of benefits.

42 9 Sec. 111. Section 96.40, subsection 2, paragraph i, Code
 42 10 2009, is amended to read as follows:
 42 11 i. The duration of the shared work plan will not exceed
 42 12 ~~twenty-six~~ fifty-two weeks. An employing unit is eligible for
 42 13 approval of only one plan during a ~~twenty-four~~ month period.

CODE: Increases the maximum number of weeks from 26 to 52 for
 the duration of a shared work unemployment compensation program
 plan.

42 14 Sec. 112. Section 96.40, subsection 8, Code 2009, is
42 15 amended to read as follows:
42 16 8. An individual shall not be entitled to receive shared
42 17 work benefits and regular unemployment compensation benefits
42 18 in an aggregate amount which exceeds the maximum total amount
42 19 of benefits payable to that individual in a benefit year as
42 20 provided under section 96.3, subsection 5. ~~Notwithstanding~~
42 21 ~~any other provisions of this chapter, an individual shall not~~
42 22 ~~be eligible to receive shared work benefits for more than~~
42 23 ~~twenty-six calendar weeks during the individual's benefit~~
42 24 ~~year.~~

CODE: Reflects the change in the maximum number of weeks for the length of eligibility of the shared work unemployment compensation program.

42 25 Sec. 113. Section 99B.10, subsection 1, paragraph a, Code
42 26 2009, is amended to read as follows:
42 27 a. A prize of merchandise exceeding ~~five~~ fifty dollars in
42 28 value shall not be awarded for use of the device. However, a
42 29 mechanical or amusement device may be designed or adapted to
42 30 award a prize or one or more free games or portions of games
42 31 without payment of additional consideration by the
42 32 participant.

CODE: Increases the value limit of a merchandise prize limit from \$5.00 to \$50.00 from an electrical or mechanical amusement device.

42 33 Sec. 114. Section 103.1, Code 2009, is amended by adding
42 34 the following new subsection:
42 35 NEW SUBSECTION . 7A. "Farm" means land, buildings and
43 1 structures used for agricultural purposes including but not
43 2 limited to the storage, handling, and drying of grain and the
43 3 care, feeding, and housing of livestock.

CODE: Adds a definition of a "farm" to the statute regulating the licensure of electricians.

43 4 Sec. 115. Section 103.22, subsection 2, Code 2009, is
43 5 amended to read as follows:
43 6 2. Require employees of municipal utilities, electric
43 7 membership or cooperative associations, investor-owned
43 8 utilities, rural water associations or districts, railroads,
43 9 telecommunications companies, franchised cable television
43 10 operators, farms, or commercial or industrial companies

CODE: Adds certain employees of farms to the exemptions from electrician licensure. Specifies that an employee of a farm, for the primary purpose of installing a new electrical installation, is not included in the exemption.

43 11 performing manufacturing, installation, and repair work for
43 12 such employer to hold licenses while acting within the scope
43 13 of their employment. An employee of a farm does not include a
43 14 person who is employed for the primary purpose of installing a
43 15 new electrical installation.

43 16 Sec. 116. Section 103.29, Code 2009, is amended by adding
43 17 the following new subsection:
43 18 NEW SUBSECTION . 7. A county shall not perform electrical
43 19 inspections on a farm or farm residence.

CODE: Prohibits a county from performing an electrical inspection on a farm or a farm residence.

43 20 Sec. 117. Section 103.32, Code 2009, is amended by adding
43 21 the following new subsection:
43 22 NEW SUBSECTION . 5. A state electrical inspection fee
43 23 shall not be assessed for an event benefiting a nonprofit
43 24 association representing volunteer service providers. An
43 25 electrical inspection fee shall not be assessed by a political
43 26 subdivision for an annual event benefiting a nonprofit
43 27 association representing volunteer service providers.

CODE: Prohibits a State electrical inspection fee or an inspection fee from being assessed by a political subdivision for an event benefiting a volunteer service nonprofit association.

43 28 Sec. 118. Section 214A.2, subsection 5, Code 2009, is
43 29 amended to read as follows:
43 30 5. Ethanol blended gasoline shall be designated E=xx where
43 31 "xx" is the volume percent of ethanol in the ethanol blended
43 32 gasoline and biodiesel fuel shall be designated B=xx where
43 33 "xx" is the volume percent of biodiesel.

CODE: Requires biodiesel fuel to be labeled with the volume percent of biodiesel added to the fuel.

43 34 Sec. 119. Section 214A.3, subsection 2, paragraph b,
43 35 subparagraph (2), Code 2009, is amended to read as follows:
44 1 ~~(2) Biodiesel fuel shall be designated according to its~~
44 2 ~~classification as provided in section 214A.2.~~ A person shall
44 3 not knowingly falsely advertise biodiesel ~~blended~~ fuel by
44 4 using an inaccurate designation ~~in violation of this~~
44 5 ~~subparagraph~~ as provided in section 214A.2 .

CODE: Prohibits a person from falsely advertising biodiesel fuel by using an inaccurate designation.

44 6 Sec. 120. Section 214A.5, Code 2009, is amended to read as
44 7 follows:

44 8 ~~214A.5 SALES SLIP ON DEMAND DOCUMENTATION .~~

44 9 1. A wholesale dealer or retail dealer shall, when making
44 10 a sale of motor fuel, give to a purchaser upon demand a sales
44 11 slip.

44 12 2. A wholesale dealer selling ethanol blended gasoline or
44 13 biodiesel blended fuel to a purchaser shall provide the
44 14 purchaser with a statement indicating its designation as
44 15 provided in section 214A.2. The statement may be on the sales
44 16 slip provided in this section or a similar document, including
44 17 but not limited to a bill of lading or invoice.

CODE: Requires a wholesale dealer selling ethanol-blended gasoline or biodiesel fuel to provide a statement to the purchaser indicating the designation of the fuel.

44 18 Sec. 121. Section 214A.16, subsection 1, Code 2009, is
44 19 amended to read as follows:

44 20 1. a. If motor fuel containing a renewable fuel ethanol
44 21 blended gasoline is sold from a motor fuel pump, the motor
44 22 fuel pump shall have affixed a decal identifying the name of
44 23 the renewable fuel ethanol blended gasoline . The decal shall
44 24 be different based on the type of renewable fuel dispensed.

44 25 If the motor fuel pump dispenses ethanol blended gasoline
44 26 classified as higher than standard ethanol blended gasoline
44 27 pursuant to section 214A.2, the decal shall contain the
44 28 following notice: "FOR FLEXIBLE FUEL VEHICLES ONLY".

44 29 b. If biodiesel fuel is sold from a motor fuel pump, the
44 30 motor fuel pump shall have affixed a decal identifying the
44 31 biodiesel fuel as provided in 16 C.F.R. pt. 306.

CODE: Requires motor fuel pumps that sell ethanol-blended gasoline or biodiesel fuel to have decals on the pumps identifying the product that is available for sale.

44 32 Sec. 122. Section 321.105A, subsection 2, paragraph c,
44 33 subparagraph (25), unnumbered paragraph 1, Code 2009, is
44 34 amended to read as follows:

44 35 Vehicles subject to registration under this chapter with a
45 1 gross vehicle weight rating of less than sixteen thousand
45 2 pounds ,~~excluding motorcycles and motorized bicycles,~~ when
45 3 purchased for lease and titled by the lessor licensed pursuant
45 4 to chapter 321F and actually leased for a period of twelve

CODE: Strikes a reference to motorcycles from leased-vehicle treatment in relation to the fee for new vehicle registration. This creates consistency in the application of the fee for new vehicle registration for leased vehicles and leased motorcycles.

DETAIL: This change is not expected to have a fiscal impact.

45 5 months or more if the lease of the vehicle is subject to the
45 6 fee for new registration under subsection 3.

45 7 Sec. 123. Section 321.105A, subsection 3, paragraph a,
45 8 Code 2009, is amended to read as follows:
45 9 a. A fee for new registration is imposed in an amount
45 10 equal to five percent of the leased price for each vehicle
45 11 subject to registration with a gross vehicle weight rating of
45 12 less than sixteen thousand pounds, ~~excluding motorcycles and~~
45 13 ~~motorized bicycles~~, which is leased by a lessor licensed
45 14 pursuant to chapter 321F for a period of twelve months or
45 15 more. The fee for new registration shall be paid by the owner
45 16 of the vehicle to the county treasurer from whom the
45 17 registration receipt or certificate of title is obtained. A
45 18 registration receipt for a vehicle subject to registration or
45 19 issuance of a certificate of title shall not be issued until
45 20 the fee for new registration is paid in the initial instance.

CODE: Strikes a reference to motorcycles from leased-vehicle treatment in relation to the fee for new vehicle registration. This creates consistency in the application of the fee for new vehicle registration for leased vehicles and leased motorcycles.

DETAIL: This change is not expected to have a fiscal impact.

45 21 Sec. 124. Section 321.105A, subsection 5, paragraph a,
45 22 Code 2009, is amended by striking the paragraph.

CODE: Repeals language requiring licensed vehicle dealers to collect the fee for new vehicle registration. Vehicle dealers would still be permitted to collect and remit the fee for the purchaser, but they would not be required to.

DETAIL: This change is not expected to have a fiscal impact.

45 23 Sec. 125. Section 321I.10, subsection 2, Code 2009, is
45 24 amended to read as follows:
45 25 2. A registered all-terrain vehicle may be operated on the
45 26 roadways of that portion of county highways designated by the
45 27 county board of supervisors for such use during a specified
45 28 period. The county board of supervisors shall evaluate the
45 29 traffic conditions on all county highways and designate
45 30 roadways on which all-terrain vehicles may be operated for the
45 31 specified period without unduly interfering with or
45 32 constituting an undue hazard to conventional motor vehicle
45 33 traffic. ~~Signs warning of the operation of all-terrain~~

CODE: Strikes the requirement that warning signs be placed on the portion of county highways designated by county boards of supervisors for operation of all-terrain vehicles (ATVs).

45 34 ~~vehicles on the roadway shall be placed and maintained on the~~
45 35 ~~portions of highway thus designated during the period~~
46 1 ~~specified for the operation.~~

46 2 Sec. 126. Section 331.907, subsection 2, Code 2009, is
46 3 amended to read as follows:
46 4 2. At the public hearing held on the county budget as
46 5 provided in section 331.434, the county compensation board
46 6 shall submit its recommended compensation schedule for the
46 7 next fiscal year to the board of supervisors for inclusion in
46 8 the county budget. The board of supervisors shall review the
46 9 recommended compensation schedule for the elected county
46 10 officers and determine the final compensation schedule which
46 11 shall not exceed the compensation schedule recommended by the
46 12 county compensation board. In determining the final
46 13 compensation schedule if the board of supervisors wishes to
46 14 reduce the amount of the recommended compensation schedule,
46 15 the amount of salary increase proposed for each elected county
46 16 officer, except as provided in subsection 2A, shall be reduced
46 17 an equal percentage. A copy of the final compensation
46 18 schedule shall be filed with the county budget at the office
46 19 of the director of the department of management. The final
46 20 compensation schedule takes effect on July 1 following its
46 21 adoption by the board of supervisors.

CODE: Clarifies a reference to a Section that permits a county board of supervisors to reduce the compensation of the board members.

46 22 Sec. 127. Section 331.907, Code 2009, is amended by adding
46 23 the following new subsection:
46 24 NEW SUBSECTION . 2A. The board of supervisors may adopt a
46 25 decrease in compensation paid to supervisors irrespective of
46 26 the county compensation board's recommended compensation
46 27 schedule or other approved changes in compensation paid to
46 28 other elected county officers. A decrease in compensation
46 29 paid to supervisors shall be adopted by the board of
46 30 supervisors no less than thirty days before the county budget
46 31 is certified under section 24.17.

CODE: Permits a county board of supervisors to reduce the compensation of the board.

46 32 Sec. 128. Section 400.10, Code 2009, as amended by 2009
46 33 Iowa Acts, Senate File 186, section 2, if enacted, is amended
46 34 by striking the section and inserting in lieu thereof the
46 35 following:

47 1 400.10 PREFERENCES.

47 2 In all examinations and appointments under this chapter,
47 3 other than promotions and appointments of chief of the police
47 4 department and chief of the fire department, veterans who are
47 5 citizens and residents of the United States, shall have five
47 6 percentage points added to the veteran's grade or score
47 7 attained in qualifying examinations for appointment to
47 8 positions and five additional percentage points added to the
47 9 grade or score if the veteran has a service-connected
47 10 disability or is receiving compensation, disability benefits
47 11 or pension under laws administered by the veterans
47 12 administration. An honorably discharged veteran who has been
47 13 awarded the Purple Heart incurred in action shall be
47 14 considered to have a service-connected disability. However,
47 15 the percentage points shall be given only upon passing the
47 16 exam and shall not be the determining factor in passing.
47 17 Veteran's preference percentage points shall be applied once
47 18 to the final scores used to rank applicants for selection for
47 19 an interview. For purposes of this section, "veteran" means
47 20 as defined in section 35.1 except that the requirement that
47 21 the person be a resident of this state shall not apply.

CODE: Requires all veterans, not just residents of the State of Iowa, to be eligible for the additional percentage points for certain employment examinations and appointments. Limits the application of percentage preference points only once to the final score used to rank for selection of an interview.

47 22 Sec. 129. Section 412.2, subsection 1, Code 2009, is
47 23 amended to read as follows:
47 24 1. From the proceeds of the assessments on the wages and
47 25 salaries of employees, of any such waterworks system, or other
47 26 municipally owned and operated public utility, eligible to
47 27 receive the benefits thereof. Notwithstanding any provisions
47 28 of section 20.9 to the contrary, a council, board of
47 29 waterworks, or other board or commission which establishes a
47 30 pension and annuity retirement system pursuant to this
47 31 chapter, shall negotiate in good faith with a certified
47 32 employee organization as defined in section 20.3, which is the

CODE: Requires the entity responsible for a municipal waterworks system or municipally-owned and operated public utility to negotiate in good faith with a certified employee organization when establishing a pension and annuity retirement system.

47 33 collective bargaining representative of the employees, with
47 34 respect to the amount or rate of the assessment on the wages
47 35 and salaries of employees and the method or methods for
48 1 payment of the assessment by the employees.

48 2 Sec. 130. Section 412.3, Code 2009, is amended to read as
48 3 follows:
48 4 412.3 RULES.
48 5 The council, board of waterworks trustees, or other board
48 6 or commission, whichever is authorized by law to manage and
48 7 operate such waterworks, or other municipally owned and
48 8 operated public utility, may formulate and establish such
48 9 pension and annuity retirement system, and may make and
48 10 establish such rules for the operation thereof as may be
48 11 deemed necessary or appropriate , subject to the provision of
48 12 section 412.2, subsection 1 .

CODE: Reflects the requirement for negotiating in good faith with a certified employee organization when the responsible entity establishes rules for the operation of the waterworks or utility.

48 13 Sec. 131. Section 422.10, subsection 3, unnumbered
48 14 paragraph 2, Code 2009, is amended to read as follows:
48 15 For purposes of this section, "Internal Revenue Code" means
48 16 the Internal Revenue Code in effect on January 1, ~~2008~~ 2009 .

CODE: Updates Iowa's research activities tax credit to include changes to the federal Internal Revenue Code made between January 1, 2008, and January 1, 2009. The change is retroactive to January 1, 2008, for tax years beginning on or after that date.

48 17 Sec. 132. Section 422.13, subsection 5, Code 2009, is
48 18 amended to read as follows:
48 19 5. a. Notwithstanding subsections 1 through 4 and
48 20 sections 422.15 and 422.36, a partnership, a limited liability
48 21 company whose members are taxed on the company's income under
48 22 provisions of the Internal Revenue Code, trust, or corporation
48 23 whose stockholders are taxed on the corporation's income under
48 24 the provisions of the Internal Revenue Code may, not later
48 25 than the due date for filing its return for the taxable year,
48 26 including any extension thereof, elect to file a composite
48 27 return for the nonresident partners, members, beneficiaries,
48 28 or shareholders. Nonresident trusts or estates which are

CODE: Expands the powers and duties of the Director of the Department of Revenue to require the filing of composite tax returns by specified business organizations.

DETAIL: This change is not expected to have a fiscal impact.

48 29 partners, members, beneficiaries, or shareholders in
48 30 partnerships, limited liability companies, trusts, or S
48 31 corporations may also be included on a composite return. The
48 32 director may require that a composite return be filed under
48 33 the conditions deemed appropriate by the director. A
48 34 partnership, limited liability company, trust, or corporation
48 35 filing a composite return is liable for tax required to be
49 1 shown due on the return.

49 2 b. Notwithstanding subsection 1 through 4 and sections
49 3 422.15 and 422.36, if the director determines that it is
49 4 necessary for the efficient administration of this chapter,
49 5 the director may require that a composite return be filed for
49 6 nonresidents other than nonresident partners, members,
49 7 beneficiaries or shareholders in partnerships, limited
49 8 liability companies, trusts, or S corporations.

49 9 c. All powers of the director and requirements of the
49 10 director apply to returns filed under this subsection
49 11 including, but not limited to, the provisions of this division
49 12 and division VI of this chapter.

49 13 Sec. 133. Section 422.33, subsection 5, paragraph d,
49 14 unnumbered paragraph 2, Code 2009, is amended to read as
49 15 follows:

49 16 For purposes of this subsection, "Internal Revenue Code"
49 17 means the Internal Revenue Code in effect on January 1, ~~2008~~
49 18 2009.

CODE: Updates Iowa's research activities tax credit to include changes to the federal Internal Revenue Code made between January 1, 2008, and January 1, 2009. The change is retroactive to January 1, 2008, for tax years beginning on or after that date.

DETAIL: This change is not expected to have a fiscal impact.

49 19 Sec. 134. Section 422.33, subsection 9, Code 2009, is
49 20 amended by striking the subsection.

CODE: Repeals the Assistive Device Tax Credit. This Credit is no longer utilized.

DETAIL: This change is not expected to have a fiscal impact.

49 21 Sec. 135. Section 422.88, subsections 2 and 3, Code 2009,
49 22 are amended to read as follows:

49 23 2. The amount of the underpayment shall be the excess of
49 24 the amount of the installment which would be required to be

CODE: Increases the threshold for underpayment of estimated taxes from 90.0% to 100.0%. At 100.0%, the threshold corresponds to the federal threshold. This change is retroactive to January 1, 2009, for tax years beginning on or after that date.

49 25 paid if the estimated tax was equal to ~~ninety~~ one hundred
49 26 percent of the tax shown on the return of the taxpayer for the
49 27 taxable year over the amount of installments paid on or before
49 28 the date prescribed for payment.

49 29 3. If the taxpayer did not file a return during the
49 30 taxable year, the amount of the underpayment shall be equal to
49 31 ~~ninety~~ one hundred percent of the taxpayer's tax liability for
49 32 the taxable year over the amount of installments paid on or
49 33 before the date prescribed for payment.

DETAIL: This change is expected to have minimal fiscal impact.

49 34 Sec. 136. Section 423.3, subsection 39, Code 2009, is
49 35 amended to read as follows:

50 1 39. The sales price from "casual sales".

50 2 a. "Casual sales" means:

50 3 a. (1) Sales of tangible personal property, or the
50 4 furnishing of services, of a nonrecurring nature, by the
50 5 owner, if the seller, at the time of the sale, is not engaged
50 6 for profit in the business of selling tangible personal
50 7 property or services taxed under section 423.2.

50 8 ~~b.~~ (2) The sale of all or substantially all of the
50 9 tangible personal property or services held or used by a
50 10 seller in the course of the seller's trade or business for
50 11 which the seller is required to hold a sales tax permit when
50 12 the seller sells or otherwise transfers the trade or business
50 13 to another person who shall engage in a similar trade or
50 14 business.

50 15 ~~c.~~ (3) Notwithstanding ~~paragraph "a"~~ subparagraph (1), the
50 16 sale, furnishing, or performance of a service that is of a
50 17 recurring nature by the owner if, at the time of the sale, all
50 18 of the following apply:

50 19 (4) (a) The seller is not engaged for profit in the
50 20 business of the selling, furnishing, or performance of
50 21 services taxed under section 423.2. For purposes of this
50 22 subparagraph, the fact of the recurring nature of selling,
50 23 furnishing, or performance of services does not constitute by
50 24 itself engaging for profit in the business of selling,
50 25 furnishing, or performance of services.

CODE: Eliminates the State sales tax exemption for casual sales of all-terrain vehicles (ATVs), snowmobiles, off-road motorcycles, and off-road utility vehicles.

FISCAL IMPACT: The estimated fiscal impact will be an increase in sales tax of \$556,000 for FY 2010 and \$575,000 for FY 2011 and future years. The General Fund impact is an increase in revenues of \$463,000 for FY 2010 and \$479,000 for FY 2011. The Secure an Advanced Vision for Education (SAVE) Fund impact is an increase in revenues of \$93,000 for FY 2010 and \$96,000 for FY 2011.

50 26 ~~(2)~~ (b) The owner of the business is the only person
50 27 performing the service.
50 28 ~~(3)~~ (c) The owner of the business is a full-time student.
50 29 ~~(4)~~ (d) The total gross receipts from the sales,
50 30 furnishing, or performance of services during the calendar
50 31 year does not exceed five thousand dollars.
50 32 b. The exemption under this subsection does not apply to
50 33 vehicles subject to registration, all-terrain vehicles,
50 34 snowmobiles, off-road motorcycles, off-road utility vehicles,
50 35 aircraft, or commercial or pleasure watercraft or water
51 1 vessels.

51 2 Sec. 137. Section 423A.2, subsection 3, Code 2009, is
51 3 amended to read as follows:
51 4 3. "Lodging" means rooms, apartments, or sleeping quarters
51 5 in a hotel, motel, inn, public lodging house, rooming house,
51 6 or manufactured or mobile home which is tangible personal
51 7 property, or in a tourist court, or in any place where
51 8 sleeping accommodations are furnished to transient guests for
51 9 rent, whether with or without meals. Lodging does not include
51 10 rooms that are not used for sleeping accommodations.

CODE: Clarifies that rental of hotel banquet and conference rooms is not subject to State and local hotel/motel excise taxes.

FISCAL IMPACT: This change has a minimal fiscal impact.

51 11 Sec. 138. Section 423A.5, subsection 1, paragraph c, Code
51 12 2009, is amended by striking the paragraph.

CODE: Strikes changes made in SF 2400 (FY 2008 Administration and Regulation Appropriations Act) that exempted rentals by government bodies from the State and local hotel/motel tax.

FISCAL IMPACT: This change is expected to have minimal fiscal impact.

51 13 Sec. 139. Section 423A.5, subsection 2, paragraph c, Code
51 14 2009, is amended by striking the paragraph.

CODE: Strikes changes made in SF 2400 (FY 2009 Administration and Regulation Appropriations Act) that exempted rentals by government bodies from the State and local hotel/motel tax.

FISCAL IMPACT: This change is expected to have minimal fiscal impact.

51 15 Sec. 140. Section 452A.12, subsection 2, Code 2009, is
51 16 amended to read as follows:
51 17 2. A person while transporting motor fuel or undyed
51 18 special fuel from a refinery or marine or pipeline terminal in
51 19 this state or from a point outside this state over the
51 20 highways of this state in service other than that under
51 21 subsection 1 shall carry in the vehicle a loading invoice
51 22 showing the name and address of the seller or consignor, the
51 23 date and place of loading, and the kind and quantity of motor
51 24 fuel or special fuel loaded, together with invoices showing
51 25 the kind and quantity of each delivery and the name and
51 26 address of each purchaser or consignee. An invoice carried
51 27 pursuant to this subsection for ethanol blended gasoline or
51 28 biodiesel blended fuel shall state its designation as provided
51 29 in section 214A.2.

CODE: Requires invoices carried by persons transporting ethanol-blended or biodiesel fuel to include specifications as they relate to tests and standards.

51 30 Sec. 141. Section 452A.74A, subsections 1, 2, and 5, Code
51 31 2009, are amended to read as follows:
51 32 1. ILLEGAL USE OF DYED FUEL. The illegal use of dyed fuel
51 33 in the supply tank of a motor vehicle shall result in a civil
51 34 penalty assessed against the owner or operator of the motor
51 35 vehicle as follows:
52 1 a. A ~~two~~ five hundred dollar ~~fine~~ penalty for the first
52 2 violation.
52 3 b. A ~~five hundred~~ one thousand dollar ~~fine~~ penalty for a
52 4 second violation within three years of the first violation.
52 5 c. A ~~one~~ two thousand dollar ~~fine~~ penalty for third and
52 6 subsequent violations within three years of the first
52 7 violation.
52 8 2. ILLEGAL IMPORTATION OF UNTAXED FUEL. A person who
52 9 imports motor fuel or undyed special fuel without a valid
52 10 importer's license or supplier's license shall be assessed a
52 11 civil penalty as provided in this subsection. However, the
52 12 owner or operator of the importing vehicle shall not be guilty
52 13 of violating this subsection if it is shown by the owner or
52 14 operator that the owner or operator reasonably did not know or
52 15 reasonably should not have known of the illegal importation.

CODE: Increases existing monetary penalties for improper use of dyed (tax exempt) fuel.

DETAIL: This change is expected to have a minimal fiscal impact.

52 16 a. For a first violation, the importing vehicle shall be
52 17 detained and a ~~fine~~ penalty of ~~two~~ four thousand dollars shall
52 18 be paid before the vehicle will be released. The owner or
52 19 operator of the importing vehicle or the owner of the fuel may
52 20 be held liable for payment of the ~~fine~~ penalty .
52 21 b. For a second violation, the importing vehicle shall be
52 22 detained and a ~~fine~~ penalty of ~~five~~ ten thousand dollars shall
52 23 be paid before the vehicle will be released. The owner or
52 24 operator of the importing vehicle or the owner of the fuel may
52 25 be held liable to pay the ~~fine~~ penalty .
52 26 c. For third and subsequent violations, the importing
52 27 vehicle and the fuel shall be seized and a ~~fine~~ penalty of ~~ten~~
52 28 twenty thousand dollars shall be paid before the vehicle will
52 29 be released. The owner or operator of the importing vehicle
52 30 or the owner of the fuel may be held liable to pay the ~~fine~~
52 31 penalty .
52 32 d. If the owner or operator of the importing vehicle or
52 33 the owner of the fuel fails to pay the tax and ~~fine~~ penalty
52 34 for a first or second offense, the importing vehicle and the
52 35 fuel may be seized. The department of revenue, the state
53 1 department of transportation, or any peace officer, at the
53 2 request of either department, may seize the vehicle and the
53 3 fuel.
53 4 e. If the operator or owner of the importing vehicle or
53 5 the owner of the fuel ~~move~~ moves the vehicle or the fuel after
53 6 the vehicle has been detained and a sticker has been placed on
53 7 the vehicle stating that "This vehicle cannot be moved until
53 8 the tax, penalty, and interest have been paid to the
53 9 Department of Revenue", an additional penalty of ~~five~~ ten
53 10 thousand dollars shall be assessed against the operator or
53 11 owner of the importing vehicle or the owner of the fuel.
53 12 f. For purposes of this subsection, "vehicle" means as
53 13 defined in section 321.1.
53 14 5. PREVENTION OF INSPECTION. The department of revenue or
53 15 the state department of transportation may conduct inspections
53 16 for coloration, markers, and shipping papers at any place
53 17 where taxable fuel is or may be loaded into transport
53 18 vehicles, produced, or stored. Any attempts by a person to

53 19 prevent, stop, or delay an inspection of fuel or shipping
 53 20 papers by authorized personnel shall be subject to a civil
 53 21 penalty of not more than ~~one~~ two thousand dollars per
 53 22 occurrence. Any law enforcement officer or department of
 53 23 revenue or state department of transportation employee may
 53 24 physically inspect, examine, or otherwise search any tank,
 53 25 reservoir, or other container that can or may be used for the
 53 26 production, storage, or transportation of any type of fuel.

53 27 Sec. 142. Section 466A.4, subsection 1, Code 2009, is
 53 28 amended to read as follows:
 53 29 1. Public water supply utilities, counties, county
 53 30 conservation boards, and cities may also be eligible and apply
 53 31 for and receive local watershed improvement grants for water
 53 32 quality improvement projects. An applicant shall coordinate
 53 33 with a local watershed improvement committee or a soil and
 53 34 water conservation district and shall include in the
 53 35 application a description of existing projects and any
 54 1 potential impact the proposed project may have on existing or
 54 2 planned water quality improvement projects.

CODE: Adds counties to the list of organizations that can apply for a grant from the Watershed Improvement Review Board (WIRB).

DETAIL: The WIRB was established during the 2005 Legislative Session in SF 200 (Agriculture Powers, Duties, and Watershed Improvement Act). The Board approves grants for watershed projects that improve water quality.

54 3 Sec. 143. NEW SECTION . 476B.6A ALTERNATIVE TAX CREDIT
 54 4 QUALIFICATION == PILOT PROJECT.

54 5 Notwithstanding any other provision of this chapter to the
 54 6 contrary, the board shall establish a pilot project which will
 54 7 allow for a wind energy production tax credit of one and
 54 8 one-half cents multiplied by the number of kilowatt-hours of
 54 9 qualified electricity sold or used for on-site consumption by
 54 10 up to two qualified facilities selected for participation in
 54 11 the project. To be eligible for the project, a qualified
 54 12 facility shall meet all eligibility requirements otherwise
 54 13 applicable pursuant to this chapter, and in addition shall be
 54 14 located in a county in this state with a population of between
 54 15 forty-four thousand one hundred fifty and forty-four thousand
 54 16 five hundred based on the 2006 census, and with a combined
 54 17 nameplate generating capacity of at least one megawatt per

CODE: Requires the Utilities Board to approve up to two wind energy production facilities for participation in the Wind Energy Production Tax Credit Program established in Chapter 476B, Code of Iowa. Based on the population requirements of the provision, the projects must be located in Cerro Gordo County. Chapter 476B allows for a 1.0 cent per kilowatt hour production tax credit. This provision allows the two projects to earn 1.5 cents per kilowatt hour. Each project is required to have a combined nameplate capacity of at least 1.0 megawatt and must comply with all other provisions of Chapter 476B, although this provision exempts the project from the 2.0 megawatt minimum size requirement. The projects are allowed to earn tax credits for electricity and for electricity used on-site. The provision directs the Utilities Board to reduce the remaining credits available by an amount equal to the credits awarded to the two special projects.

FISCAL IMPACT: Senate File 456 (Wind Energy Tax Credit Act of

54 18 applicant. For purposes of the pilot project, the two
 54 19 megawatt minimum requirement for qualification pursuant to
 54 20 section 476B.1, subsection 4, paragraph "d", shall not be
 54 21 applicable. The board shall reduce the remaining credits
 54 22 available under this chapter by a dollar amount equal to the
 54 23 amount of credits awarded pursuant to the project.

2009) enhanced the tax credit program by extending sales tax exemptions and property tax abatement benefits to projects approved under the program. The Act also reduced the maximum tax credits allowed to no more than 150 megawatts.

The Fiscal Note for SF 456 assumed only 121 megawatts of the 150 megawatts would be utilized before the deadline. This provision will utilize two of the 29 megawatts that are assumed to be unused. It is estimated that two 1.0 megawatt projects will earn a total of \$1.0 million in wind energy production tax credits over ten years, beginning in FY 2011.

54 24 Sec. 144. Section 523I.316, Code 2009, is amended by
 54 25 adding the following new subsection:
 54 26 NEW SUBSECTION . 7. ADVERSE POSSESSION. A cemetery or a
 54 27 pioneer cemetery is exempt from seizure, appropriation, or
 54 28 acquisition of title under any claim of adverse possession,
 54 29 unless it is shown that all remains in the cemetery or pioneer
 54 30 cemetery have been disinterred and removed to another
 54 31 location.

CODE: Prohibits a governmental subdivision from seizing or acquiring the title to a cemetery or a pioneer cemetery unless remains have been disinterred and removed.

54 32 Sec. 145. Section 602.6404, subsection 3, Code 2009, is
 54 33 amended by striking the subsection and inserting in lieu
 54 34 thereof the following:
 54 35 3. A magistrate shall be an attorney licensed to practice
 55 1 law in this state. However, a magistrate not admitted to the
 55 2 practice of law in this state and who is holding office on
 55 3 April 1, 2009, shall be eligible to be reappointed as a
 55 4 magistrate in the same county for a term commencing August 1,
 55 5 2009, and subsequent successive terms.

CODE: Requires a magistrate to be a licensed attorney permitted to practice law in Iowa. Permits a magistrate holding office before April 1, 2009, to be eligible for reappointment as a magistrate in the same county for a term commencing August 1, 2009, and subsequent successive terms regardless of admittance to the practice of law.

55 6 Sec. 146. 2009 Iowa Acts, House File 809, if enacted, is
 55 7 amended by adding the following new section:
 55 8 SEC. 000. NEW SECTION . FUTURE REPEAL OF DEPARTMENT OF
 55 9 COMMERCE REVOLVING FUND == COMPLIANCE.

CODE: Repeals the Department of Commerce Revolving Fund created in HF 809 (FY 2010 Administration and Regulation Appropriations Bill) on July 1, 2011. Specifies duties of the Code Editor to reflect the repeal.

55 10 1. Division VIII of this Act, relating to the creation of
55 11 a department of commerce revolving fund, is repealed July 1,
55 12 2011. The Code editor shall restore the language in the
55 13 sections of the Code of Iowa amended by the division to the
55 14 language present in those sections in the 2009 Code of Iowa.
55 15 2. The divisions of the department of commerce shall
55 16 comply with appropriate provisions of section 8.31 and with
55 17 directions by the governor to executive branch departments
55 18 regarding restrictions on out-of-state travel, hiring
55 19 justifications, association memberships, equipment purchases,
55 20 consulting contracts, and any other expenditure efficiencies
55 21 that the governor deems appropriate.

Requires the Department of Commerce Divisions to comply with the process for statutory approval by the Department of Management for allotments of the FY 2010 appropriations and a possible across-the-board reduction by the Governor. Requires the Department of Commerce Divisions to comply with Gubernatorial directions to the Executive Branch regarding various expenditure restrictions.

55 22 Sec. 147. EFFECTIVE DATE. Section 483A.1, subsection 2,
55 23 paragraph "ee", as enacted by 2009 Iowa Acts, House File 722,
55 24 section 33, if enacted, and section 483A.7, subsection 3, as
55 25 amended by 2009 Iowa Acts, House File 722, section 37, if
55 26 enacted, and this section, being deemed of immediate
55 27 importance, take effect immediately upon enactment of this
55 28 Act.

CODE: The purchase of nonresident preference points in Section 33 of HF 722 (FY 2010 Natural Resources Conservation Bill) is effective on enactment. The purchase of wild turkey hunting preference points in Section 37 of HF 722 is effective on enactment.

FISCAL IMPACT: The Department of Natural Resources (DNR) estimates 1,000 hunters will purchase additional preference points during FY 2009. This will increase revenue to the Fish and Game Trust Fund by \$40,000. The DNR estimated approximately 9,000 hunters will purchase preference points for FY 2010 for a revenue increase of \$450,000.

55 29 Sec. 148. 2009 Iowa Acts, Senate File 415, section 1, if
55 30 enacted, is amended by striking the section and inserting in
55 31 lieu thereof the following:
55 32 SECTION 1. PROPERTY RIGHTS DEFENSE ACCOUNT.
55 33 1. A city may establish a property rights defense account
55 34 within the city's general fund. If a property rights defense
55 35 account is established under this section, moneys which remain
56 1 unclaimed under section 2, subsection 11, paragraph "d", of
56 2 this Act, may be deposited in the account. Interest or
56 3 earnings on moneys in the property rights defense account
56 4 shall be credited to the account. Moneys in the property
56 5 rights defense account are not subject to transfer,

CODE: Permits a city to create a Property Rights Defense Account. Specifies the uses of the funds from the Account. Specifies that revenues to the Account are derived from court orders awarding the property title to a city from a disaster-affected building when the city pays the fair market value of the property in the condition when the title is transferred that are unclaimed after a period of two years.

DETAIL: This item was codified in SF 415 (Disaster Affected Abandoned Property Act). This change is not codified. It is Session Law only when revised.

56 6 appropriation, or reversion to any other account or fund, or
56 7 any other use except as provided in this section.
56 8 2. Moneys in the account shall be used for the
56 9 reimbursement of reasonable attorney fees and reasonable costs
56 10 incurred by a property owner as the result of proceedings
56 11 initiated under this Act, chapters 6A and 6B, and section
56 12 657A.10A.
56 13 3. Property owners shall apply to the city council on a
56 14 form prescribed by the city council. If sufficient funds
56 15 exist in the account, the city council shall reimburse each
56 16 property owner who applies for all reasonable attorney fees
56 17 and reasonable costs incurred. If insufficient funds exist in
56 18 the account to reimburse a property owner for all reasonable
56 19 attorney fees and reasonable costs incurred, the city council
56 20 shall reimburse the property owner for the fees and costs in
56 21 an amount equal to the remaining balance in account.

56 22 Sec. 149. 2007 Iowa Acts, chapter 186, section 29, is
56 23 amended to read as follows:
56 24 SEC. 29. REFUND OF PROPERTY TAXES. Notwithstanding the
56 25 deadline for filing a claim for property tax exemption for
56 26 property described in section 427.1, subsection 8 or 9, and
56 27 notwithstanding any other provision to the contrary, the board
56 28 of supervisors of a county having a population based upon the
56 29 latest federal decennial census of more than eighty-eight
56 30 thousand but not more than ninety-five thousand shall refund
56 31 the property taxes paid, with all interest, penalties, fees,
56 32 and costs which were due and payable in the fiscal year
56 33 beginning July 1, 2002, and in the fiscal year beginning July
56 34 1, ~~2005~~ 2006, on the land and buildings of an institution that
56 35 purchased property and that did not receive a property tax
57 1 exemption for the property due to the inability or failure to
57 2 file for the exemption. To receive the refund provided for in
57 3 this section, the institution shall apply to the county board
57 4 of supervisors by October 1, ~~2007~~ 2009, and provide
57 5 appropriate information establishing that the land and
57 6 buildings for which the refund is sought were used by the

CODE: Revises a special property tax refund provision enacted in Section 29 of HF 923 (Tax Policy and Administration Act of 2007) directing the board of supervisors of a specific county to refund taxes, penalties, and interest paid by a religious, literary, charitable, or educational organization in an instance where the organization missed a deadline for filing a claim for property tax exemption. The revision expands the directive to include taxes, penalties, and interest paid for FY 2007. The organization is directed to apply for the refund by October 1, 2009. This change is effective on enactment.

DETAIL: The change is expected to have a minimal fiscal impact.

57 7 institution for its appropriate objectives during the fiscal
57 8 year beginning July 1, 2002, and during the fiscal year
57 9 beginning July 1, ~~2005~~ 2006 . The refund allowed under this
57 10 section only applies to property taxes, with all interest,
57 11 penalties, fees, and costs, due and payable in the fiscal year
57 12 beginning July 1, 2002, and in the fiscal year beginning July
57 13 1, ~~2005~~ 2006 .
57 14 Sec. 150. 2007 Iowa Acts, chapter 186, section 30, is
57 15 amended to read as follows:
57 16 SEC. 30. IMMEDIATE EFFECTIVE DATE. ~~The section~~ Section 29
57 17 of this division of this Act, ~~amending section 427.3,~~ being
57 18 deemed of immediate importance, takes effect upon enactment
57 19 and applies retroactively to property taxes due and payable in
57 20 the fiscal year beginning July 1, 2002, and in the fiscal year
57 21 beginning July 1, ~~2005~~ 2006 .

57 22 Sec. 151. Section 422.11E, Code 2009, is repealed.

CODE: Repeals the Assistive Device Tax Credit.

DETAIL: The Assistive Device Tax Credit is no longer utilized.

57 23 Sec. 152. Sections 422.120 through 422.122, Code 2009, are
57 24 repealed.

CODE: Repeals the Livestock Production Tax Credit.

DETAIL: The livestock production tax credit is available to livestock producers with no more than approximately \$125,000 in federal taxable income for the tax year the credit is claimed. The tax credit is limited to no more than \$3,000 per livestock operation and no more than \$3,000 per taxpayer. The tax credit is limited to cow-calf operations. The standing appropriation to fund the credit is \$2,000,000 per year. If claims for the tax credit exceed the appropriation, the claims are prorated. For FY 2009, the standing appropriation was subject to an across-the-board cut and was reduced to \$1,970,000. This Section is effective on enactment and retroactive to November 1, 2008.

FISCAL IMPACT: Repealing this Credit and the standing appropriation will increase net General Fund revenue by \$2,000,000 annually, beginning in FY 2010.

57 25 Sec. 153. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.

57 26 1. The section of this division of this Act concerning the
57 27 county land record information system, being deemed of
57 28 immediate importance, takes effect upon enactment.

57 29 2. The section of this division of this Act amending 2009
57 30 Iowa Acts, Senate File 415, being deemed of immediate
57 31 importance, takes effect upon enactment.

57 32 3. The section of this division of this Act repealing
57 33 sections 422.120 through 422.122, being deemed of immediate
57 34 importance, takes effect upon enactment and applies
57 35 retroactively to November 1, 2008, for refund claims filed on
58 1 or after that date.

58 2 4. The section of this division of this Act relating to
58 3 property tax exemption filings for disaster=impacted property,
58 4 being deemed of immediate importance, takes effect upon
58 5 enactment.

58 6 5. The section of this division of this Act amending
58 7 section 15E.305, takes effect January 1, 2010, and applies to
58 8 the tax years beginning on or after that date.

58 9 6. The section of this division of this Act amending
58 10 section 422.88, subsections 2 and 3, applies retroactively to
58 11 January 1, 2009, for tax years beginning on or after that
58 12 date.

58 13 7. The sections of this division of this Act amending 2007
58 14 Iowa Acts, chapter 186, sections 29 and 30, being deemed of
58 15 immediate importance, take effect upon enactment.

58 16 8. The sections of this division of this Act amending
58 17 section 15.335, subsection 4, paragraph "b", section 15A.9,
58 18 subsection 8, paragraph "e", subparagraph (2), section 422.10,
58 19 subsection 3, unnumbered paragraph 2, section 422.33,
58 20 subsection 5, paragraph "d", unnumbered paragraph 2, being
58 21 deemed of immediate importance, take effect upon enactment and
58 22 apply retroactively to January 1, 2008, for tax years
58 23 beginning on or after that date.

The following Sections are effective on enactment:

- Changes relating to the County Land Record Information System RFPs.
- Session Law permission for a city to create a Property Rights Defense Account.
- Repeal of the Livestock Production Tax Credit. The repeal is retroactive to November 1, 2008.
- Extension for filing property tax exemptions for certain entities.
- Increase in the total amount of Endowment Tax Credits.
- Increase in the percentage the underestimation of the payment of taxes. The increase is retroactive to January 1, 2009.
- Additional year for the eligibility for the refund of certain property taxes.
- Designation of certain research activities tax credit refunds as a public record.
- Federal Internal Revenue Code reference updates related to the Iowa research activities credit. This change is retroactive to January 1, 2008.

58 24 DIVISION IX

58 25 EDUCATION

58 26 Sec. 154. REGENTS == APPROPRIATIONS. There is
 58 27 appropriated from the general fund of the state to the state
 58 28 board of regents for the fiscal year beginning July 1, 2009,
 58 29 and ending June 30, 2010, the following amounts, or so much
 58 30 thereof as may be necessary, to be used for the purposes
 58 31 designated:

58 32 1. STATE SCHOOL FOR THE DEAF
 58 33 For salaries, support, maintenance, miscellaneous purposes:
 58 34 \$ 398,980

General Fund appropriation to the Iowa School for the Deaf (ISD) for FY 2010.

DETAIL: The appropriation for the ISD in SF 470 (FY 2010 Education Appropriations Bill) provides a decrease of \$831,071 compared to the estimated net FY 2009 appropriation. With this appropriation, the net decrease for FY 2010 is \$432,091 compared to the estimated net FY 2009 appropriation.

58 35 2. IOWA BRAILLE AND SIGHT SAVING SCHOOL
 59 1 For salaries, support, maintenance, miscellaneous purposes:
 59 2 \$ 225,602

General Fund appropriation for the Iowa Braille and Sight Saving School (IBSSS) for FY 2010.

DETAIL: The appropriation for the IBSSS in SF 470 (FY 2010 Education Appropriations Bill) provides a decrease of \$469,928 compared to the estimated net FY 2009 appropriation. With this appropriation, there is a net decrease of \$244,326 for FY 2010 compared to the estimated net FY 2009 appropriation.

59 3 Sec. 155. DEPARTMENT OF EDUCATION == APPROPRIATION. There
 59 4 is appropriated from the general fund of the state to the
 59 5 department of education for the fiscal year beginning July 1,
 59 6 2009, and ending June 30, 2010, the following amount, or so
 59 7 much thereof as may be necessary, to be used for general
 59 8 administration:
 59 9 \$ 167,096

General Fund appropriation to the Department of Education for the General Administration Division.

DETAIL: Senate File 470 (FY 2010 Education Appropriations Bill) appropriates \$7,906,880 for the same purpose.

59 10 Sec. 156. EDUCATIONAL EXCELLENCE PROGRAM=RELATED
 59 11 APPROPRIATIONS. There is appropriated from the general fund
 59 12 of the state to the indicated departments and agencies for the

59 13 fiscal year beginning July 1, 2009, and ending June 30, 2010,
59 14 the following amounts, or so much thereof as is necessary, to
59 15 be used for the purposes designated:

59 16 1. To the department of human services for distribution to
59 17 its licensed classroom teachers at institutions under the
59 18 control of the department of human services based upon the
59 19 average student yearly enrollment at each institution as
59 20 determined by the department of human services:
59 21 \$ 115,500

General Fund appropriation to the Department of Human Services for classroom teachers at institutions under its control.

DETAIL: These teachers were funded in previous years from the standing appropriation for the Educational Excellence Program. Senate File 445 (Teacher Salary Integration Bill) eliminates the standing appropriation.

59 22 2. To the state board of regents:

59 23 a. For distribution to licensed classroom teachers at the
59 24 Iowa braille and sight saving school and the Iowa school for
59 25 the deaf based upon the average yearly enrollment at each
59 26 school as determined by the state board of regents:
59 27 \$ 94,600

General Fund appropriation to the Iowa School for the Deaf and the Iowa Braille and Sight Saving School (IBSSS).

DETAIL: These teachers and expenses were funded in previous years from the standing appropriation for the Educational Excellence Program. Senate File 445 (Teacher Salary Integration) eliminated the standing appropriation. In FY 2009, the IBSSS received \$13,162 of this appropriation and ISD received \$81,438 prior to the 1.5% across-the-board reduction.

59 28 b. For the Iowa braille and sight saving school:
59 29 \$ 68,000

General Fund appropriation to the Board of Regents for classroom teachers and other expenses at the Braille and Sighting School.

DETAIL: These teachers and expenses were funded in previous years from the standing appropriation for the Educational Excellence Program. Senate File 445 (Teacher Salary Integration Bill) eliminates the standing appropriation.

59 30 c. For the state school for the deaf:
59 31 \$ 102,000

General Fund appropriation to the Board of Regents for classroom teachers and other expenses at the School for the Deaf.

DETAIL: These teachers and expenses were funded in previous years from the standing appropriation for the Educational Excellence Program. Senate File 445 (Teacher Salary Integration Bill) eliminates the standing appropriation.

59 32 3. To the department of education:

59 33 a. For distribution to the tribal council of the Sac and
59 34 Fox Indian settlement located on land held in trust by the
59 35 secretary of the interior of the United States. Moneys
60 1 allocated under this lettered paragraph shall be used for the
60 2 purposes specified in section 256.30:
60 3 \$ 100,000

General Fund appropriation to the Department of Education for the Sac and Fox Indian settlement for FY 2010.

DETAIL: This was funded in previous years from the standing appropriation for the Educational Excellence Program. Senate File 445 (Teacher Salary Integration Bill) eliminates the standing appropriation.

60 4 b. For the kindergarten to grade twelve management
60 5 information system:
60 6 \$ 230,000

General Fund appropriation to the Department of Education for the K-12 Management Information System for FY 2010.

DETAIL: This was funded in previous years from the standing appropriation for the Educational Excellence Program. Senate File 445 (Teacher Salary Integration Bill) eliminates the standing appropriation.

60 7 Sec. 157. INTERPRETERS FOR THE DEAF. There is
60 8 appropriated from the general fund of the state to the
60 9 department of education for the fiscal year beginning July 1,
60 10 2009, and ending June 30, 2010, the following amount, or so
60 11 much thereof as is necessary, to be used for the purpose
60 12 designated:
60 13 For allocation for deaf interpreters for arrangements made
60 14 between the state school for the deaf and Iowa western
60 15 community college due to the high numbers of articulation
60 16 agreements between the state school for the deaf and the
60 17 community college:
60 18 \$ 200,000

General Fund appropriation to the Department of Education for interpreters for the deaf at Iowa Western Community College for FY 2010.

DETAIL: This is an increase of \$3,000 compared to the estimated net FY 2009 appropriation.

60 19 Sec. 158. CENTER FOR INDEPENDENT LIVING. There is
 60 20 appropriated from the general fund of the state to the
 60 21 department of education, vocational rehabilitation services
 60 22 division, for the fiscal year beginning July 1, 2009, and
 60 23 ending June 30, 2010, the following amount, or so much thereof
 60 24 as is necessary, to be used for the purposes designated:
 60 25 For costs associated with centers for independent living:
 60 26 \$ 50,000

General Fund appropriation to the Vocational Rehabilitation Services Division of the Department of Education for FY 2010 for a Center for Independent Living grant.

DETAIL: This is a decrease of \$196,250 compared to the estimated net FY 2009 appropriation.

60 27 Sec. 159. 2006 Iowa Acts, chapter 1182, section 1,
 60 28 unnumbered paragraph 2, as amended by 2007 Iowa Acts, chapter
 60 29 108, section 59, is amended to read as follows:
 60 30 For purposes, as provided in law, of the student
 60 31 achievement and teacher quality program established pursuant
 60 32 to chapter 284:
 60 33 FY 2006=2007..... \$104,343,894
 60 34 FY 2007=2008..... \$173,943,894
 60 35 FY 2008=2009..... \$ ~~248,943,894~~
 61 1 249,502,894

CODE: Increases the FY 2009 General Fund appropriation for the Student Achievement and Teacher Quality Program by \$559,000. This Section is effective on enactment.

61 2 Sec. 160. COMPULSORY SCHOOL ATTENDANCE AGE == WORKING
 61 3 GROUP.
 61 4 1. Of the amount appropriated from the human services
 61 5 reinvestment fund created in 2009 Iowa Acts, House File 820,
 61 6 if enacted, to the legislative services agency for the fiscal
 61 7 year beginning July 1, 2009, and ending June 30, 2010,
 61 8 \$115,000 is transferred to the department of education to be
 61 9 used for costs associated with the working group convened
 61 10 pursuant to subsection 2.
 61 11 2. The department of education shall convene a working
 61 12 group comprised of the director of the department of
 61 13 education, or the director's designee, and other education
 61 14 stakeholders appointed by the department to review supports
 61 15 for students affected by an increase in the compulsory
 61 16 attendance age from sixteen to eighteen years of age. The
 61 17 working group shall consider, at a minimum, the necessity of

Transfers \$115,000 of the \$315,000 FY 2010 Human Services Reinvestment Fund appropriation to the Legislative Services Agency for the Health Care Coverage Commission to the Department of Education for the compulsory attendance age work group. Specifies membership and categories to consider for the work group. Requires a report to the State Board of Education and the General Assembly by January 15, 2010.

61 18 expansion of support programs and services for such students,
61 19 online at-risk academy courses, career academies, and current
61 20 at-risk allowable growth provisions, and full funding of the
61 21 instructional support levy. The working group shall submit
61 22 its findings and recommendations, including any proposed
61 23 changes in policy or statute, to the state board of education
61 24 and the general assembly by January 15, 2010.

61 25 Sec. 161. Section 273.3, Code 2009, is amended by adding
61 26 the following new subsection:
61 27 NEW SUBSECTION . 23. By October 1 of each year, submit to
61 28 the department of education the following information:
61 29 a. The contracted salary including bonus wages and
61 30 benefits, annuity payments, or any other benefit for the
61 31 administrators of the area education agency.
61 32 b. The contracted salary and benefits and any other
61 33 expenses related to support for governmental affairs efforts,
61 34 including expenditures for lobbyists and lobbying activities
61 35 for the area education agency.

CODE: Requires each Area Education Agency to submit certain administrator contracted salary information and lobbyist costs to the Department of Education on an annual basis by October 1.

62 1 Sec. 162. DES MOINES UNIVERSITY == OSTEOPATHIC MEDICAL
62 2 CENTER. For the fiscal year beginning July 1, 2009, and
62 3 ending June 30, 2010, the college student aid commission shall
62 4 pay a fee to Des Moines university == osteopathic medical
62 5 center for the administration of the initiative in primary
62 6 health care to direct primary care physicians to shortage
62 7 areas in the state. A portion of the fee paid shall be based
62 8 upon the number of physicians recruited in accordance with
62 9 section 261.19, subsection 4. However, the fee amount paid
62 10 shall not exceed \$41,862 for the fiscal year. Such amount
62 11 shall be subject to any budgetary reductions ordered by the
62 12 governor or enacted by the general assembly.

Requires the College Student Aid Commission to pay a fee to Des Moines University for administration of the Osteopathic Physician Recruitment Program and establishes a maximum amount for FY 2010.

62 13 Sec. 163. EFFECTIVE DATE. The section of this division of
62 14 this Act amending 2006 Iowa Acts, chapter 1182, being deemed
62 15 of immediate importance, takes effect upon enactment.

The Section changing the appropriation for the FY 2009 Student Achievement and Teacher Quality Program is effective on enactment.

62 16 DIVISION X
62 17 JUDICIAL BRANCH == COMMISSION ELECTIONS

62 18 Sec. 164. Section 46.5, unnumbered paragraph 5, Code 2009,
62 19 is amended to read as follows:
62 20 When a vacancy in an office of an elective judicial
62 21 nominating commissioner occurs, the ~~clerk of the supreme court~~
62 22 state court administrator shall cause to be mailed to each
62 23 member of the bar whose name appears on the certified list
62 24 prepared pursuant to section 46.8 for the district or
62 25 districts affected, a notice stating the existence of the
62 26 vacancy, the requirements for eligibility, and the manner in
62 27 which the vacancy will be filled. Other items may be included
62 28 in the same mailing if they are on sheets separate from the
62 29 notice. The election of a district judicial nominating
62 30 commissioner or the close of nominations for a state judicial
62 31 nominating commissioner shall not occur until thirty days
62 32 after the mailing of the notice.

CODE: Changes the reference from the Clerk of the Supreme Court to the State Court Administrator for the duty of notice to members of the bar within the district of a vacancy in the office of an elective judicial nominating commissioner.

62 33 Sec. 165. Section 46.7, Code 2009, is amended to read as
62 34 follows:
62 35 46.7 ELIGIBILITY TO VOTE.
63 1 To be eligible to vote in elections of judicial nominating
63 2 commissioners, a member of the bar must be eligible to
63 3 practice and must be a resident of the state of Iowa and of
63 4 the appropriate congressional district or judicial election
63 5 district as shown by the member's most recent filing with the
63 6 supreme court for the purposes of showing compliance with the
63 7 court's continuing legal education requirements, or for
63 8 members of the bar eligible to practice who are not required
63 9 to file such compliance, any paper on file by July 1 with the
63 10 ~~clerk of the supreme court~~ state court administrator, for the
63 11 purpose of establishing eligibility to vote under this
63 12 section, which the court determines to show the requisite
63 13 residency requirements. A judge who has been admitted to the
63 14 bar of the state of Iowa shall be considered a member of the

CODE: Changes the reference from the Clerk of the Supreme Court to the State Court Administrator for the duty of establishing eligibility for a member of the bar to vote in an election of judicial nominating commissioners.

63 15 bar.

63 16 Sec. 166. Section 46.8, Code 2009, is amended to read as
63 17 follows:
63 18 46.8 CERTIFIED LIST.
63 19 ~~On July 15 of each~~ Each year the ~~clerk of the supreme court~~
63 20 state court administrator shall certify a list of the names,
63 21 addresses, and years of admission of members of the bar who
63 22 are eligible to vote for state and district judicial
63 23 nominating commissioners. ~~The clerk of the supreme court~~
63 24 ~~shall provide a copy of the list of the members for a county~~
63 25 ~~to the clerk of the district court for that county.~~

CODE: Changes the reference from the Clerk of the Supreme Court to the State Court Administrator for the duty of certifying the members of the bar eligible to vote for the State and District judicial nominating commissioners. Strikes the requirement that the member names be provided to the county clerk of court.

63 26 Sec. 167. Section 46.9, Code 2009, is amended by striking
63 27 the section and inserting in lieu thereof the following:
63 28 46.9 CONDUCT OF ELECTIONS.
63 29 When an election of judicial nominating commissioners is to
63 30 be held, the state court administrator shall administer the
63 31 voting. The state court administrator may administer the
63 32 voting by electronic notification and voting or by paper
63 33 ballot mailed to each eligible attorney. The state court
63 34 administrator shall mail paper ballots to eligible attorneys
63 35 or electronically notify and enable eligible attorneys to
64 1 vote. The elector receiving the most votes shall be elected.
64 2 When more than one commissioner is to be elected, the electors
64 3 receiving the most votes shall be elected, in the same number
64 4 as the offices to be filled.

CODE: Strikes the statutory ballot format for an election of judicial nominating commissioners and replaces it with the option of electronic voting administered by the State Court Administrator.

64 5 Sec. 168. Section 46.9A, Code 2009, is amended to read as
64 6 follows:
64 7 46.9A NOTICE PRECEDING NOMINATION OF ELECTIVE NOMINATING
64 8 COMMISSIONERS.
64 9 At least sixty days prior to the expiration of the term of
64 10 an elective state or district judicial nominating
64 11 commissioner, the ~~clerk of the supreme court~~ state court
64 12 administrator shall ~~cause to be mailed to each member of the~~

CODE: Changes the reference from the Clerk of the Supreme Court to the State Court Administrator for the duty of notification of an eligible member of the bar to vote regarding the judicial nominating commissioners. Adds an option of electronic voting.

64 13 ~~bar whose name appears on the certified list prepared pursuant~~
64 14 ~~to section 46.8 for the district or districts affected, a~~
64 15 ~~notice stating the date the term of office will expire, the~~
64 16 ~~requirements for eligibility to the office for the succeeding~~
64 17 ~~term, and the procedure for filing nominating petitions,~~
64 18 ~~including the last date for filing mail paper ballots to~~
64 19 ~~eligible attorneys or electronically notify and enable~~
64 20 ~~eligible attorneys to vote. An eligible attorney is a member~~
64 21 ~~of the bar whose name appears on the certified list prepared~~
64 22 ~~pursuant to section 46.8 for the district or districts~~
64 23 ~~affected . Other items may be included in the same mailing if~~
64 24 ~~they are on sheets separate from the notice.~~

64 25 Sec. 169. Section 46.10, Code 2009, is amended to read as
64 26 follows:
64 27 46.10 NOMINATION OF ELECTIVE NOMINATING COMMISSIONERS.
64 28 In order to have an eligible elector's name printed on the
64 29 ballot for state or district judicial nominating commissioner,
64 30 the eligible elector must file in the office of the ~~clerk of~~
64 31 ~~the supreme court~~ state court administrator at least thirty
64 32 days prior to expiration of the period within which the
64 33 election must be held a nominating petition signed by at least
64 34 fifty resident members of the bar of the congressional
64 35 district in case of a candidate for state judicial nominating
65 1 commissioner, or at least ten resident members of the bar of
65 2 the judicial district in case of a candidate for district
65 3 judicial nominating commissioner. No member of the bar may
65 4 sign more nominating petitions for state or district judicial
65 5 nominating commissioner than there are such commissioners to
65 6 be elected.
65 7 Ballots or electronic voting forms for state and district
65 8 judicial nominating commissioners shall contain blank lines
65 9 equal to the number of such commissioners to be elected, where
65 10 names may be written in.

CODE: Changes the reference from the Clerk of the Supreme Court to the State Court Administrator for the duty to receive nominations of a candidate as a State or district judicial nominating commissioner. Adds an option of electronic communication.

65 11 Sec. 170. Section 46.11, Code 2009, is amended to read as

CODE: Changes the reference from the Clerk of the Supreme Court

65 12 follows:
 65 13 46.11 CERTIFICATION OF COMMISSIONERS.
 65 14 The governor and the ~~clerk of the supreme court~~ state court
 65 15 administrator respectively shall promptly certify the names
 65 16 and addresses of appointive and elective judicial nominating
 65 17 commissioners to the state commissioner of elections and the
 65 18 chairperson of the respective nominating commissions.

to the State Court Administrator for the duty to certify judicial nominating commissioners to the State Commissioner of Elections and the Chairperson of the respective nominating commission.

65 19 Sec. 171. EFFECTIVE DATE. This division of this Act takes
 65 20 effect February 10, 2010.

The changes relating to the duties of the State Court Administrator, statutory ballot format, and various judicial nominating commissions are effective on February 10, 2010.

65 21 DIVISION XI
 65 22 JUDICIAL OFFICER VACANCIES

65 23 Sec. 172. 2009 Iowa Acts, House File 414, section 54, is
 65 24 amended to read as follows:
 65 25 SEC. 54. JUDICIAL APPOINTMENT == DELAY.
 65 26 1. Notwithstanding section 46.12, the chief justice may
 65 27 order the state commissioner of elections to delay, for up to
 65 28 one hundred eighty days for budgetary reasons, the sending of
 65 29 a notification to the proper judicial nominating commission
 65 30 that a vacancy in the supreme court, court of appeals, or
 65 31 district court has occurred or will occur.
 65 32 2. Notwithstanding sections 602.6304, 602.7103B, and
 65 33 633.20B, the chief justice may order any county magistrate
 65 34 appointing commission to delay, for up to one hundred eighty
 65 35 days for budgetary reasons, the certification of nominees to
 66 1 the chief judge of the judicial district for a district
 66 2 associate judgeship, associate juvenile judgeship, or
 66 3 associate probate judgeship.
 66 4 3. Notwithstanding section 602.6403, subsection 3, the
 66 5 chief justice may order any county magistrate appointing
 66 6 commission to delay, for up to one hundred eighty days for
 66 7 budgetary reasons, the appointment of a magistrate to serve
 66 8 the remainder of an unexpired term.

CODE: Permits the Chief Justice of the Supreme Court to delay, for up to 180 days for budgetary reasons, the nominating process for judicial officers other than magistrates until June 30, 2010. The changes relating to the delay in nominee notification or certifications for various appointments to State and district courts and juvenile and probate courts are extended from June 30, 2009, to June 30, 2010.

This Section is effective on enactment and retroactive to March 16, 2009.

66 9 4. ~~The section~~ Subsection 3, relating to magistrate
 66 10 vacancies, is applicable for the period beginning on the
 66 11 effective date of this section and ending June 30, 2009.
 66 12 Subsections 1 and 2 are applicable for the period beginning on
 66 13 the effective date of this section and ending on June 30,
 66 14 2010.

66 15 Sec. 173. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.
 66 16 The section of this division of this Act amending 2009 Iowa
 66 17 Acts, House File 414, section 54, being deemed of immediate
 66 18 importance, takes effect upon enactment and is retroactively
 66 19 applicable to March 16, 2009.

The changes relating to the delay in nominee notification or certifications for various appointments to State and district courts and juvenile and probate courts being extended to the end of FY 2010 are effective on enactment and retroactive to March 16, 2009.

66 20 DIVISION XII
 66 21 DISASTER ASSISTANCE

66 22 Sec. 174. 2009 Iowa Acts, House File 64, section 1,
 66 23 subsection 2, paragraph b, is amended to read as follows:
 66 24 b. Forgivable loans awarded after the effective date of
 66 25 this division of this Act shall be awarded pursuant to the
 66 26 following priorities:
 66 27 (1) First priority shall be given to eligible residents
 66 28 who have not received any moneys under the jumpstart housing
 66 29 assistance program ~~prior to the effective date of this~~
 66 30 ~~division of this Act.~~
 66 31 (2) Second priority shall be given to eligible residents
 66 32 who have received less than twenty-four thousand nine hundred
 66 33 ninety-nine dollars under the jumpstart housing assistance
 66 34 program ~~prior to the effective date of this division of this~~
 66 35 ~~Act.~~
 67 1 (3) Third priority shall be given to eligible residents
 67 2 who have received twenty-four thousand nine hundred
 67 3 ninety-nine dollars under the jumpstart housing assistance
 67 4 program ~~prior to the effective date of this division of this~~
 67 5 ~~Act~~ and who continue to have unmet needs for down payment

CODE: Eliminates the requirement that priorities for the Economic Emergency Fund Jumpstart Housing Assistance Program funding be used for those residents that did not receive funding from the Jumpstart Housing Assistance Program prior to the effective date of HF 64 (FY 2009 Disaster Recovery Funding Act). House File 64 was effective February 2, 2009.

This Section is effective on enactment.

67 6 assistance, emergency housing repair or rehabilitation,
 67 7 interim mortgage assistance, or energy efficiency assistance.
 67 8 An eligible resident shall not receive more than an additional
 67 9 twenty=four thousand nine hundred ninety=nine dollars under
 67 10 this subparagraph.

67 11 Sec. 175. 2009 Iowa Acts, House File 64, section 4,
 67 12 subsection 1, is amended to read as follows:
 67 13 1. There is appropriated from the Iowa economic emergency
 67 14 fund created in section 8.55 to the department of human
 67 15 services for the fiscal year beginning July 1, 2008, and
 67 16 ending June 30, 2009, the following amount, or so much thereof
 67 17 as is necessary, to be used for the purposes designated:
 67 18 For providing individual disaster grants for unmet needs
 67 19 pursuant to the requirements in this section:
 67 20 \$ 10,000,000
 67 21 7,850,000

CODE: Reduces the FY 2009 Economic Emergency Fund (EEF) appropriation to the Department of Human Services for the unmet needs disaster grants from \$10,000,000 to \$7,850,000.

67 22 Sec. 176. 2009 Iowa Acts, House File 64, section 4,
 67 23 subsection 6, is amended to read as follows:
 67 24 6. An area long=term ~~disaster~~ recovery committee shall be
 67 25 reimbursed for ~~administrative expenses incurred in an amount~~
 67 26 ~~not to exceed three percent of the grant moneys awarded for~~
 67 27 ~~the area pursuant to an intergovernmental agreement to be~~
 67 28 ~~established between the department of human services and the~~
 67 29 ~~agency of record responsible for the long=term disaster~~
 67 30 ~~committee in each area~~ unreimbursed grants made to persons for
 67 31 eligible expenses authorized in subsection 5, not to exceed
 67 32 two thousand five hundred dollars per household, made by a
 67 33 committee since September 1, 2008 . The department of human
 67 34 services shall not be reimbursed for using moneys appropriated
 67 35 in this section for administrative costs associated with
 68 1 administering the Iowa unmet needs disaster grant program.

CODE: Permits area long-term recovery committees to be reimbursed in an amount of more than 3.00% of the disaster-related unmet needs grants for administrative costs. Permits the committees to receive reimbursement for unreimbursed grants made to eligible persons not to exceed \$2,500 per household, for grants made by a committee since September 1, 2008.

68 2 Sec. 177. REBUILD IOWA OFFICE == APPROPRIATION.

CODE: Economic Emergency Fund appropriation for FY 2009 to the

68 3 1. There is appropriated from the Iowa economic emergency
 68 4 fund created in section 8.55 to the rebuild Iowa office for
 68 5 the fiscal year beginning July 1, 2008, and ending June 30,
 68 6 2009, the following amount, or so much thereof as is
 68 7 necessary, to be used for purposes of this section:

68 8 \$ 1,150,000

68 9 2. From the moneys appropriated in this section, the
 68 10 rebuild Iowa office shall distribute \$1,150,000 to cities
 68 11 adversely impacted by tornadoes during the incident period
 68 12 identified by Presidential Disaster DR 1763=IA. The rebuild
 68 13 Iowa office shall distribute moneys to all of the following
 68 14 adversely impacted political subdivisions:

68 15 a. For Marion county for the benefit of Attica:

68 16 \$ 25,000

68 17 b. For Dunkerton:

68 18 \$ 50,000

68 19 c. For Fairbank:

68 20 \$ 50,000

68 21 d. For Hazleton:

68 22 \$ 50,000

68 23 e. For New Hartford:

68 24 \$ 200,000

68 25 f. For Delaware county for the benefit of Oneida:

68 26 \$ 25,000

68 27 g. For Parkersburg:

68 28 \$ 750,000

68 29 3. Notwithstanding section 8.33 and section 8.55,
 68 30 subsection 3, paragraph "a", moneys appropriated in this
 68 31 section that remain unencumbered or unobligated at the close
 68 32 of the fiscal year shall not revert but shall remain available
 68 33 for expenditure for the purposes designated until the close of
 68 34 the succeeding fiscal year.

Rebuild Iowa Office for tornado-impacted cities. Specifies the cities and amounts per city. Requires nonreversion of funds through FY 2010.

DETAIL: This is a new appropriation for FY 2009.

68 35 Sec. 178. REBUILD IOWA OFFICE == APPROPRIATION.

69 1 1. There is appropriated from the Iowa economic emergency
 69 2 fund created in section 8.55 to the rebuild Iowa office for
 69 3 the fiscal year beginning July 1, 2008, and ending June 30,

CODE: Economic Emergency Fund appropriation for FY 2009 to the Rebuild Iowa Office for distribution to area long-term recovery committees. Requires the Rebuild Iowa Office to have a memorandum of understanding with the Department of Human

69 4 2009, the following amount, or so much thereof as is
 69 5 necessary, to be used for the purposes designated:
 69 6 For distribution to area long-term recovery committees
 69 7 pursuant to this section:
 69 8 \$ 1,000,000
 69 9 2. The rebuild Iowa office shall distribute the moneys
 69 10 appropriated under this section in the form of grants to area
 69 11 long-term recovery committees with a signed memorandum of
 69 12 understanding with the department of human services.
 69 13 3. Notwithstanding section 8.33 and section 8.55,
 69 14 subsection 3, paragraph "a", moneys appropriated in this
 69 15 section that remain unencumbered or unobligated at the close
 69 16 of the fiscal year shall not revert but shall remain available
 69 17 for expenditure for the purposes designated until the close of
 69 18 the succeeding fiscal year.

Services for distribution. Requires nonreversion of funds through FY 2010.

DETAIL: This is a new appropriation for FY 2009.

69 19 Sec. 179. EFFECTIVE DATE. This division of this Act,
 69 20 being deemed of immediate importance, takes effect upon
 69 21 enactment.

The Sections relating to changes in the disaster-related unmet needs assistance grant appropriation, long-term recovery committee reimbursements, and appropriations to certain tornado-affected cities are effective on enactment.

69 22 DIVISION XIII
 69 23 HEALTH AND HUMAN SERVICES

69 24 Sec. 180. MEDICAID ENTERPRISE STUDY. The department of
 69 25 human services shall explore incorporating data mining,
 69 26 predictive modeling, and data analytics which may include
 69 27 automated claims review, to address provider overpayments,
 69 28 underpayments, and fraud within the Iowa Medicaid enterprise
 69 29 for the fiscal period beginning July 1, 2006, and ending June
 69 30 30, 2009. The review shall assume only Iowa-specific models,
 69 31 patterns, and trend data. The department shall issue a
 69 32 request for proposals to competitively procure such services
 69 33 no later than August 1, 2009. If the results from the request
 69 34 for proposals demonstrate that such an approach will provide a

Requires the Department of Human Services, Iowa Medicaid Enterprise, to explore procuring services related to data mining and predictive modeling to address provider overpayment, underpayment, and fraud for FY 2007 through FY 2009. Specifies deadlines for completion of the procurement and request for proposals.

FISCAL IMPACT: The program could save the State \$2,000,000 for FY 2010.

DETAIL: This Section is effective on enactment.

69 35 net benefit to the state, the department shall enter into a
70 1 contract for such services no later than September 30, 2009.

70 2 Sec. 181. RISK POOL == FISCAL YEAR 2009=2010. For
70 3 purposes of the timeframes for applying for and receiving risk
70 4 pool assistance under section 426B.5, for the fiscal year
70 5 beginning July 1, 2009, notwithstanding contrary provisions of
70 6 section 426B.5, subsection 2, a county must apply to the risk
70 7 pool board for assistance from the risk pool on or before July
70 8 1, 2009. The risk pool board shall make its final decisions
70 9 on or before August 15, 2009, regarding acceptance or
70 10 rejection of the applications for assistance and the total
70 11 amount of assistance applied for and approved shall be
70 12 considered obligated. The department of human services shall
70 13 authorize the issuance of warrants payable to the county
70 14 treasurer for the amounts due and the warrants shall be issued
70 15 on or before September 15, 2009.

Changes the timeframes for decisions of the Mental Health Risk Pool for FY 2010. Requires initial applications to be received from counties by July 1, 2009. Requires the Board to make final decisions by August 15, 2009.

70 16 Sec. 182. Section 135H.3, Code 2009, is amended by adding
70 17 the following new unnumbered paragraph:
70 18 NEW UNNUMBERED PARAGRAPH . If a child is diagnosed with a
70 19 biologically based mental illness as defined in section
70 20 514C.22 and meets the medical assistance program criteria for
70 21 admission to a psychiatric medical institution for children,
70 22 the child shall be deemed to meet the acuity criteria for
70 23 medically necessary inpatient benefits under a group policy,
70 24 contract, or plan providing for third=party payment or
70 25 prepayment of health, medical, and surgical coverage benefits
70 26 issued by a carrier, as defined in section 513B.2, or by an
70 27 organized delivery system authorized under 1993 Iowa Acts,
70 28 chapter 158, that is subject to section 514C.22. Such
70 29 medically necessary benefits shall not be excluded or denied
70 30 as care that is substantially custodial in nature under
70 31 section 514C.22, subsection 8, paragraph "b".

CODE: Requires private health insurance plans that are subject to Iowa insurance laws to treat a Psychiatric Medical Institution for Children (PMIC) admission the same as an acute inpatient hospitalization if a child meets the Medicaid criteria for a PMIC admission.

FISCAL IMPACT: The impact of this change is estimated to be a net decrease in General Fund expenditures of \$234,000 for FY 2010 and \$293,000 for FY 2011. This reflects the estimated decrease in State expenditures for Medicaid of \$549,000 for FY 2010 and \$608,000 for FY 2011. This is offset by the anticipated increase in insurance costs for State employees of \$315,000 per year as a result of premium increases.

70 32 Sec. 183. NEW SECTION . 514C.24 CANCER TREATMENT ==

CODE: Prohibits certain third-party payers of cancer treatment from

70 33 COVERAGE.

70 34 1. Notwithstanding the uniformity of treatment
 70 35 requirements of section 514C.6, a contract, policy, or plan
 71 1 providing for third=party payment or prepayment for cancer
 71 2 treatment shall not discriminate between coverage benefits for
 71 3 prescribed, orally=administered anticancer medication used to
 71 4 kill or slow the growth of cancerous cells and intravenously
 71 5 administered or injected cancer medications that are covered,
 71 6 regardless of formulation or benefit category determination by
 71 7 the contract, policy, or plan.

71 8 2. The provisions of this section shall apply to all of
 71 9 the following classes of third=party payment provider
 71 10 contracts, policies, or plans delivered, issued for delivery,
 71 11 continued, or renewed in this state on or after July 1, 2009:

71 12 a. Individual or group accident and sickness insurance
 71 13 providing coverage on an expense=incurred basis.

71 14 b. An individual or group hospital or medical service
 71 15 contract issued pursuant to chapter 509, 514, or 514A.

71 16 c. An individual or group health maintenance organization
 71 17 contract regulated under chapter 514B.

71 18 d. An individual or group Medicare supplemental policy,
 71 19 unless coverage pursuant to such policy is preempted by
 71 20 federal law.

71 21 e. A plan established pursuant to chapter 509A for public
 71 22 employees.

71 23 3. This section shall not apply to accident=only,
 71 24 specified disease, short=term hospital or medical, hospital
 71 25 confinement indemnity, credit, dental, vision, long=term care,
 71 26 basic hospital, and medical=surgical expense coverage as
 71 27 defined by the commissioner, disability income insurance
 71 28 coverage, coverage issued as a supplement to liability
 71 29 insurance, workers' compensation or similar insurance, or
 71 30 automobile medical payment insurance.

71 31 4. The commissioner of insurance shall adopt rules
 71 32 pursuant to chapter 17A as necessary to administer this
 71 33 section.

discriminating between coverage benefits for orally-administered cancer treatment drugs and intravenously-administered injections of cancer treatment for certain policies issued, continued, or renewed after July 1, 2009. Requires the Commissioner of Insurance to adopt administrative rules.

71 35 amended by adding the following new unnumbered paragraph:
 72 1 NEW UNNUMBERED PARAGRAPH . Notwithstanding section 8.33,
 72 2 moneys appropriated in this section that remain unencumbered
 72 3 or unobligated at the close of the fiscal year shall not
 72 4 revert but shall remain available for expenditure for the
 72 5 purpose designated until the close of the fiscal year
 72 6 beginning July 1, 2010.

appropriation for Family Planning through FY 2010.

DETAIL: This Section is effective on enactment.

72 7 Sec. 185. 2009 Iowa Acts, House File 811, section 40,
 72 8 subsection 2, if enacted, is amended to read as follows:
 72 9 2. The study committee shall consist of members of the
 72 10 general assembly, and representatives of the department of
 72 11 public health, the Iowa pharmacy association, the Iowa medical
 72 12 society, the Iowa nurses association, ~~wellmark blue cross blue~~
 72 13 ~~shield, the principal financial group, the federation of Iowa~~
 72 14 ~~insurers,~~ the university of Iowa college of public health, the
 72 15 Iowa retail federation, the prevention and chronic care
 72 16 management advisory council established in section 135.161,
 72 17 the medical home system advisory council established in
 72 18 section 135.159, the Iowa healthcare collaborative, as defined
 72 19 in section 135.40, the health policy corporation of Iowa, and
 72 20 the Iowa foundation for medical care.

CODE: Changes the insurance industry membership for the
 pharmacy-related legislative interim committee requested in HF 811
 (FY 2010 Health and Human Services Appropriations Bill).

72 21 Sec. 186. EFFECTIVE DATE.
 72 22 1. The section of this division of this Act relating to a
 72 23 Medicaid enterprise study, being deemed of immediate
 72 24 importance, takes effect upon enactment.
 72 25 2. The section of this division of this Act amending 2008
 72 26 Iowa Acts, chapter 1187, section 29, being deemed of immediate
 72 27 importance, takes effect upon enactment.

The following Sections are effective on enactment:

- Changes to the Department of Human Services procuring various data services for the Iowa Medicaid Enterprise.
- Carryforward of the FY 2009 Family Planning appropriation.

72 28 DIVISION XIV
 72 29 ECONOMIC DEVELOPMENT == WORKFORCE DEVELOPMENT

72 30 Sec. 187. DISASTER ASSISTANCE LOAN AND CREDIT GUARANTEE

Requires the Department of Economic Development to create a

72 31 PROGRAM.

72 32 1. The department of economic development shall establish
72 33 and administer a disaster assistance loan and credit guarantee
72 34 program by investing the assets of the disaster assistance
72 35 loan and credit guarantee fund in order to provide loan and
73 1 credit guarantees to all of the following qualifying

73 2 businesses:

73 3 a. Businesses directly impacted by a natural disaster
73 4 occurring after May 24, 2008, and before August 14, 2008.

73 5 b. Businesses either locating an existing business or
73 6 starting a new business in a disaster=impacted space in an
73 7 area which was declared a natural disaster area by the
73 8 president of the United States due to a natural disaster
73 9 occurring after May 24, 2008, and before August 14, 2008. For
73 10 purposes of this paragraph, "disaster=impacted space" means a
73 11 building damaged by a natural disaster occurring after May 24,
73 12 2008, and before August 14, 2008, including undamaged upper
73 13 floors of a building that was damaged by the natural disaster.

73 14 c. Businesses filling a critical community need in
73 15 conformance with the comprehensive plan of the city as
73 16 determined by resolution of the city council of the city in
73 17 which the business is located. For purposes of this
73 18 paragraph, a business shall be deemed to be located in a city
73 19 if it is located within two miles of the city limits.

73 20 2. a. The department, pursuant to agreements with
73 21 financial institutions, shall provide loan and credit
73 22 guarantees to qualifying businesses described in subsection 1.
73 23 A loan or credit guarantee under the program shall not exceed
73 24 ten percent of the loan amount or twenty=five thousand
73 25 dollars, whichever is less. Not more than one loan or credit
73 26 guarantee shall be awarded per federal employer identification
73 27 number.

73 28 b. A loan or credit guarantee provided under the program
73 29 may stand alone or may be used in conjunction with or to
73 30 enhance other loan or credit guarantees offered by a financial
73 31 institution. The department may purchase insurance to cover
73 32 defaulted loans meeting the requirements of the program.
73 33 However, the department shall not in any manner directly or

Disaster Assistance Loan and Credit Guarantee Program. Defines the businesses that qualify based on impact from a disaster after May 24, 2008, and before August 14, 2008. Limits the amount of guarantee. Requires the Department to charge a nonrefundable application fee. Specifies the eligible businesses and guarantee criteria.

Creates a Disaster Assistance Loan and Credit Guarantee Fund in the State Treasury. Permits the Iowa Power Fund Board to allocate up to \$1,800,000 of the funds appropriated for FY 2009 for a Disaster Assistance Loan and Credit Guarantee Program.

This Section is effective on enactment.

73 34 indirectly pledge the credit of the state.

73 35 c. Eligible project costs include expenditures for

74 1 productive equipment and machinery, land and real estate,

74 2 working capital for operations, research and development,

74 3 marketing, engineering and architectural fees, and such other

74 4 costs as the department may so designate.

74 5 d. A loan or credit guarantee under the program shall not

74 6 be used for purposes of debt refinancing.

74 7 3. Each participating financial institution shall identify

74 8 and underwrite potential lending opportunities with qualifying

74 9 businesses. Upon a determination by a participating financial

74 10 institution that a qualifying business meets the underwriting

74 11 standards of the financial institution, subject to the

74 12 approval of a loan or credit guarantee, the financial

74 13 institution shall submit the underwriting information and a

74 14 loan or credit guarantee application to the department.

74 15 4. Upon approval of a loan or credit guarantee, the

74 16 department shall enter into a loan or credit guarantee

74 17 agreement with the participating financial institution. The

74 18 agreement shall specify all of the following:

74 19 a. The fee to be charged to the financial institution.

74 20 b. The evidence of debt assurance of, and security for,

74 21 the loan or credit guarantee.

74 22 c. A loan or credit guarantee that does not exceed fifteen

74 23 years.

74 24 d. Any other terms and conditions considered necessary or

74 25 desirable by the department.

74 26 e. That the loan or credit guarantee does not invoke or

74 27 pledge the credit or the taxing power of the state and that

74 28 any claim made pursuant to the loan or credit guarantee shall

74 29 be limited to the terms and amount of the loan or credit

74 30 guarantee and to the moneys in the disaster assistance loan

74 31 and credit guarantee fund.

74 32 5. The department shall charge a nonrefundable application

74 33 fee for each application under the program. The department

74 34 shall include the fee information in the application

74 35 materials. The fee is payable upon submission of an

75 1 application for a loan or credit guarantee from a financial

75 2 institution or a qualifying business. The application fee
75 3 shall be not less than five hundred dollars and not more than
75 4 one thousand dollars. Moneys received from fees are
75 5 appropriated to the department for purposes of administering
75 6 this section.

75 7 6. The department may adopt loan and credit guarantee
75 8 application procedures that allow a qualifying business to
75 9 apply directly to the department for a preliminary guarantee
75 10 commitment. A preliminary guarantee commitment may be issued
75 11 by the department subject to the qualifying business securing
75 12 a commitment for financing from a financial institution. The
75 13 application procedures shall specify the process by which a
75 14 financial institution may obtain a final loan or credit
75 15 guarantee.

75 16 7. a. A disaster assistance loan and credit guarantee
75 17 fund is created and established as a separate and distinct
75 18 fund in the state treasury. Moneys in the fund shall only be
75 19 used for purposes provided in this section. The moneys in the
75 20 fund are appropriated to the department to be used for all of
75 21 the following purposes:

75 22 (1) Payment of claims pursuant to loan and credit
75 23 guarantee agreements entered into under this section.

75 24 (2) Payment of administrative costs of the department for
75 25 actual and necessary administrative expenses incurred by the
75 26 department in administering the disaster assistance loan and
75 27 credit guarantee program.

75 28 (3) Purchase or buyout of superior or prior liens,
75 29 mortgages, or security interests.

75 30 (4) Purchase of insurance to cover the default of loans
75 31 made pursuant to the requirements of the disaster assistance
75 32 loan and credit guarantee program.

75 33 b. Moneys in the disaster assistance loan and credit
75 34 guarantee fund shall consist of all of the following:

75 35 (1) Moneys appropriated by the general assembly for that
76 1 purpose and any other moneys available to and obtained or
76 2 accepted by the department for placement in the fund.

76 3 (2) Proceeds from collateral assigned to the department,
76 4 fees for guarantees, gifts, and moneys from any grant made to

76 5 the fund by any federal agency.
76 6 c. Moneys in the fund are not subject to section 8.33.
76 7 Notwithstanding section 12C.7, interest or earnings on the
76 8 moneys in the fund shall be credited to the fund.
76 9 d. (1) The department shall only pledge moneys in the
76 10 disaster assistance loan and credit guarantee fund and not any
76 11 other moneys under the control of the department. In a fiscal
76 12 year, the department may pledge an amount not to exceed the
76 13 total amount appropriated to the fund for the same fiscal year
76 14 to assure the repayment of loan and credit guarantees or other
76 15 extensions of credit made to or on behalf of qualified
76 16 businesses for eligible project costs.
76 17 (2) The department shall not pledge the credit or taxing
76 18 power of this state or any political subdivision of this state
76 19 or make debts payable out of any moneys except for those in
76 20 the disaster assistance loan and credit guarantee fund.
76 21 8. For purposes of this section, "financial institution"
76 22 means a bank incorporated pursuant to chapter 524 or a credit
76 23 union organized pursuant to chapter 533.
76 24 9. For the fiscal year beginning July 1, 2008, and ending
76 25 June 30, 2009, the Iowa power fund board may allocate up to
76 26 \$1.8 million for purposes of the disaster assistance loan and
76 27 credit guarantee fund.

76 28 Sec. 188. JOB TRAINING INTERIM STUDY COMMITTEE.

76 29 1. The legislative council shall establish a job training
76 30 interim study committee to examine job training issues during
76 31 the 2009 legislative interim period.

76 32 2. The study committee shall examine and make
76 33 recommendations concerning job training needs in Iowa. The
76 34 study committee shall focus on job training mechanisms that
76 35 provide services to underserved populations in Iowa.

77 1 Underserved populations include people making less than twenty
77 2 thousand dollars per year, minorities, women, persons with
77 3 disabilities, the elderly, and people convicted of felonies
77 4 trying to re-enter society after release from prison.

77 5 3. The legislative council shall consider providing

Requires the Legislative Council to establish an interim study committee for job training issues and duplicative job training programs. Requires the committee to submit a report to the General Assembly.

77 6 funding for the hiring of a private consultant to identify
77 7 duplicative programs that contribute to the fragmentation of
77 8 job training efforts. The study committee shall make
77 9 recommendations for the removal of any such duplicative
77 10 programs.

77 11 4. The committee shall submit a report to the general
77 12 assembly.

77 13 Sec. 189. Section 15.421, subsection 2, Code 2009, is
77 14 amended by adding the following new paragraph:
77 15 NEW PARAGRAPH . c. The directors of the department of
77 16 economic development and the department of workforce
77 17 development, or their designees, shall serve as nonvoting, ex
77 18 officio members.

CODE: Adds the Directors of the Department of Economic Development and the Iowa Workforce Development Department as ex officio members of the Generation Iowa Commission.

77 19 Sec. 190. Section 15.421, subsection 4, Code 2009, is
77 20 amended by striking the subsection and inserting in lieu
77 21 thereof the following:
77 22 4. a. The chairperson and vice chairperson of the
77 23 commission shall be selected by the governor and shall serve
77 24 at the pleasure of the governor.
77 25 b. An executive council of the commission shall consist of
77 26 the chairperson and vice chairperson, and three members
77 27 elected by the commission on an annual basis. The executive
77 28 council shall meet on a monthly basis.

CODE: Requires the Governor to select the Chairperson and Vice-Chairperson of the Generation Iowa Commission in lieu of the voting members of the Commission. Requires the Chairperson and Vice-Chairperson and three members selected by the Commission to serve as the Commission's Executive Council. Requires the Council to meet monthly.

77 29 Sec. 191. Section 15.421, subsection 5, paragraphs b and
77 30 c, Code 2009, are amended to read as follows:

77 31 b. Advise and assist ~~the department~~ state agencies in
77 32 activities designed to retain and attract the young adult
77 33 population.

77 34 c. Develop and make available best practices guidelines
77 35 for employers to retain and attract ~~and retain~~ young adult
78 1 employees.

CODE: Adds the duties of advising State agencies and developing guidelines to retain young adult employees to the Generation Iowa Commission.

78 2 Sec. 192. Section 15.421, subsection 5, Code 2009, is

CODE: Requires the Generation Iowa Commission to meet bi

78 3 amended by adding the following new paragraph:
 78 4 NEW PARAGRAPH . d. Conduct meetings on at least a
 78 5 bimonthly basis.

monthly.

78 6 Sec. 193. NEW SECTION . 15E.70 FINANCIAL STATEMENTS ==
 78 7 AUDITOR OF STATE.
 78 8 By July 1 of each year, the Iowa fund of funds, the Iowa
 78 9 capital investment corporation, and designated investors shall
 78 10 submit a financial statement for the previous calendar year to
 78 11 the auditor of state.

CODE: Requires the Iowa Fund of Funds, the Capital Investment Corporation, and the Designated Investors Incorporated to submit a financial statement from the previous calendar year by July 1 of each year to the State Auditor.

78 12 Sec. 194. 2009 Iowa Acts, Senate File 469, section 15,
 78 13 subsection 2, unnumbered paragraph 2, if enacted, is amended
 78 14 to read as follows:
 78 15 The division of workers' compensation shall ~~continue~~
 78 16 ~~charging charge~~ a ~~\$65~~ \$100 filing fee for workers'
 78 17 compensation cases. The filing fee shall be paid by the
 78 18 petitioner of a claim. However, the fee can be taxed as a
 78 19 cost and paid by the losing party, except in cases where it
 78 20 would impose an undue hardship or be unjust under the
 78 21 circumstances. The moneys generated by the filing fee allowed
 78 22 under this subsection are appropriated to the department of
 78 23 workforce development to be used for purposes of administering
 78 24 the division of workers' compensation.

CODE: Increases the filing fee charge for workers' compensation cases from \$65.00 to \$100.00.

DETAIL: There are approximately 4,200 petitions filed annually. The fee increase will generate additional revenue of approximately \$147,000 annually, for a total of \$420,000 annually for administering workers' compensation.

78 25 Sec. 195. 2008 Iowa Acts, chapter 1178, section 18, is
 78 26 amended by adding the following new subsection:
 78 27 NEW SUBSECTION . 7. Notwithstanding section 8.33, moneys
 78 28 appropriated in this section that remain unencumbered or
 78 29 unobligated at the close of the fiscal year shall not revert
 78 30 but shall remain available for expenditure for the purposes
 78 31 designated until the close of the succeeding fiscal year.

CODE: Permits the FY 2009 appropriation from the Federal Economic Stimulus and Job Holding Fund interest to the Department of Economic Development for microenterprise community development competitive grants to carry forward from FY 2009 to FY 2010.

DETAIL: An estimated \$450,000 will remain available for FY 2010. The funds were originally appropriated during the 2008 Legislative Session by SF 2430 (Economic Assistance for Microenterprises River and Lake Enhancement and Individual Development Accounts Act). This Section is effective on enactment.

78 32 Sec. 196. EFFECTIVE DATE.

78 33 1. The section of this division of this Act amending 2008
78 34 Iowa Acts, chapter 1178, section 18, being deemed of immediate
78 35 importance, takes effect upon enactment.

79 1 2. The section of this division of this Act creating the
79 2 disaster assistance loan and credit guarantee program, being
79 3 deemed of immediate importance, takes effect upon enactment.

79 4 DIVISION XV

79 5 DATA CENTERS

79 6 Sec. 197. Section 423.3, Code 2009, is amended by adding
79 7 the following new subsection:

79 8 NEW SUBSECTION . 95. a. (1) The sales price from the
79 9 sale or rental of computers and equipment that are necessary
79 10 for the maintenance and operation of a data center business
79 11 and property whether directly or indirectly connected to the
79 12 computers, including but not limited to cooling systems,
79 13 cooling towers, and other temperature control infrastructure;
79 14 power infrastructure for transformation, distribution, or
79 15 management of electricity used for the maintenance and
79 16 operation of the data center business, including but not
79 17 limited to exterior dedicated business-owned substations,
79 18 backup power generation systems, battery systems, and related
79 19 infrastructure; and racking systems, cabling, and trays, which
79 20 are necessary for the maintenance and operation of the data
79 21 center business.

79 22 (2) The sales price of backup power generation fuel that
79 23 is purchased by a data center business for use in the items
79 24 listed in subparagraph (1).

79 25 (3) The sales price of electricity purchased for use by a
79 26 data center business.

79 27 b. For the purpose of claiming this exemption, all of the

The Section providing for the carryforward of the FY 2009 appropriation for the microenterprise community development competitive grants is effective on enactment. The creation of the Disaster Assistance Loan and Credit Guarantee Program is effective on enactment.

CODE: Provides a sales/use tax exemption for the sale of computers, technology equipment, back-up fuel, and electricity for projects with a capital investment in a data center business of at least \$200,000,000 in the State. Requires the investment level to be attained within the first six years of operation in the State beginning with the date the data center business initiates site preparation activities. Requires the data center business to comply with sustainable design and construction standards in accordance with the State building code. Provides definitions for data center and data center business. The property tax exemption applies to property utilized by the data center business including computers and other technology equipment.

DETAIL: Data center businesses with an investment level of \$200,000,000 will also qualify for the property tax exemptions provided in Section 200 of this Bill. There is no expiration on the sales and use or property tax exemptions for these projects.

FISCAL IMPACT: The number of data center businesses eligible for the tax incentives is currently unknown. The Department of Economic Development indicates there may be two projects in development that would qualify for these exemptions. At an investment of \$200,000,000, the sales/use tax exemption is estimated at \$480,000 in year one, \$1,300,000 in year two, \$1,500,000 in year three, and

79 28 following requirements shall be met:	similar amounts in future years.
79 29 (1) The purchaser or renter shall be a data center	
79 30 business.	
79 31 (2) The data center business shall have a physical	
79 32 location in the state that is, in the aggregate, at least five	
79 33 thousand square feet in size that is used for the operations	
79 34 and maintenance of the data center business.	
79 35 (3) The data center business shall make a minimum	
80 1 investment in an Iowa physical location of two hundred million	
80 2 dollars within the first six years of operation in Iowa	
80 3 beginning with the date the data center business initiates	
80 4 site preparation activities. The minimum investment includes	
80 5 the initial investment, including land and subsequent	
80 6 acquisition of additional adjacent land and subsequent	
80 7 investment at the Iowa location.	
80 8 (4) The data center business shall comply with the	
80 9 sustainable design and construction standards established by	
80 10 the state building code commissioner pursuant to section	
80 11 103A.8B.	
80 12 c. This exemption applies from the date of the initial	
80 13 investment in or the initiation of site preparation activities	
80 14 for the data center business facility as described in	
80 15 paragraph "b".	
80 16 d. Failure to meet eighty percent of the minimum	
80 17 investment amount requirement specified in paragraph "b"	
80 18 within the first six years of operation from the date the data	
80 19 center business initiates site preparation activities will	
80 20 result in the data center business losing the right to claim	
80 21 this data center business exemption and the data center	
80 22 business shall pay all sales or use tax that would have been	
80 23 due on the purchase or rental or use of the items listed in	
80 24 this exemption, plus any applicable penalty and interest	
80 25 imposed by statute.	
80 26 e. For purposes of this subsection:	
80 27 (1) "Data center" means a building rehabilitated or	
80 28 constructed to house a group of networked server computers in	
80 29 one physical location in order to centralize the storage,	
80 30 management, and dissemination of data and information	

80 31 pertaining to a particular business, taxonomy, or body of
80 32 knowledge. A data center business's facility typically
80 33 includes the mechanical and electrical systems, redundant or
80 34 backup power supplies, redundant data communications
80 35 connections, environmental controls, and fire suppression
81 1 systems. A data center business's facility also includes a
81 2 restricted access area employing advanced physical security
81 3 measures such as video surveillance systems and card-based
81 4 security or biometric security access systems.
81 5 (2) "Data center business" means an entity whose business
81 6 among other businesses, is to operate a data center.

81 7 Sec. 198. Section 423.4, subsection 8, Code 2009, is
81 8 amended to read as follows:
81 9 8. a. The owner of ~~an information technology facility a~~
81 10 data center business, as defined in section 423.3, subsection
81 11 95, located in this state on July 1, 2007, and having a
81 12 primary business with a North American industry classification
81 13 system number 518210 or 541519 as verified by the department
81 14 of economic development using nationally recognized
81 15 third-party sources such as Hoovers, Harris Directory or
81 16 others designated by the department of economic development,
81 17 may make an annual application for up to five consecutive
81 18 years to the department for the refund of fifty percent of the
81 19 sales or use tax upon the sales price of all sales of fuel
81 20 used in creating heat, power, and steam for processing or
81 21 generating electrical current, or from the sale of electricity
81 22 consumed by computers, machinery, or other equipment for
81 23 operation of the ~~technology~~ data center business facility.
81 24 b. ~~An information technology facility~~ A data center
81 25 business shall qualify for the refund in this subsection if
81 26 all of the following criteria are met:
81 27 (1) The ~~facility's six-digit North American industry~~
81 28 ~~classification system number 518210 or 541519 indicates that~~
81 29 ~~the facility is primarily engaged in providing~~
81 30 ~~computer-related services~~ data center business shall make an
81 31 investment in an Iowa physical location within the first three

CODE: Permits an eligible data center business to file a sales/use tax refund for 50.00% of the State sales/use tax rate of 5.00% for sales of back-up fuel and electricity. Prohibits the business from being eligible for a refund of State sales tax deposited in the Secure and Advanced Vision for Education Fund or the Local Option Sales Tax (LOST). Requires a capital investment in a data center business of at least \$1,000,000 in the State. Requires the investment level to be attained within the first three years of operation in the State beginning with the date the data center business initiates site preparation activities. Permits the business to receive a sales/use tax refund for up to five years.

DETAIL: The number of projects that may be eligible for this tax exemption is currently unknown.

FISCAL IMPACT: The fiscal impact is currently unknown.

81 32 years of operation in Iowa beginning with the date on which
81 33 the data center business initiates site preparation
81 34 activities .
81 35 (2) The amount of the investment in an Iowa physical
82 1 location, including the value of a lease agreement, or an
82 2 investment in land or buildings, and the capital expenditures
82 3 for computers, machinery, and other equipment used in the
82 4 operation of the facility equals data center business shall
82 5 equal at least one million dollars , but shall not exceed ten
82 6 million dollars for a newly constructed building or five
82 7 million dollars for a rehabilitated building .
82 8 (3) If the data center business is leasing a building to
82 9 house operations, the data center business shall enter into a
82 10 lease that is at least five years in duration.
82 11 ~~(3)~~ (4) The facility is certified as meeting the
82 12 Leadership in Energy and Environmental Design (LEED) standards
82 13 data center business shall comply with the sustainable design
82 14 and construction standards established by the state building
82 15 code commissioner pursuant to section 103A.8B .
82 16 c. The refund may be obtained only in the following manner
82 17 and under the following conditions:
82 18 (1) The applicant shall use forms furnished by the
82 19 department.
82 20 (2) The applicant shall separately list the amounts of
82 21 sales and use tax paid during the reporting period.
82 22 (3) The applicant may request when the refund begins, but
82 23 it must start on the first day of a month and proceed for a
82 24 continuous twelve=month period.
82 25 d. In determining the amount to be refunded, if the dates
82 26 of the utility billing or meter reading cycle for the sale or
82 27 furnishing of metered gas and electricity are on or after the
82 28 first day of the first month through the last day of the last
82 29 month of the refund year, ~~the full~~ fifty percent of the amount
82 30 of tax charged in the billings shall be refunded. In
82 31 determining the amount to be refunded, if the dates of the
82 32 sale or furnishing of fuel for purposes of commercial energy
82 33 and the delivery of the fuel are on or after the first day of
82 34 the first month through the last day of the last month of the

82 35 refund year, ~~the full~~ fifty percent of the amount of tax
 83 1 charged in the billings shall be refunded.
 83 2 e. To receive refunds during the five-year period, the
 83 3 applicant shall file a refund claim within three months after
 83 4 the end of each refund year.
 83 5 f. The refund in this subsection applies only to state
 83 6 sales and use tax paid and does not apply to local option
 83 7 sales and services taxes imposed pursuant to ~~chapters~~ chapter
 83 8 ~~423B and 423E~~ . Notwithstanding the state sales tax imposed in
 83 9 section 423.2, a refund issued pursuant to this section shall
 83 10 not exceed an amount equal to five percent of the sales price
 83 11 of the fuel used to create heat, power, and steam for
 83 12 processing or generating electrical current or from the sale
 83 13 price of electricity consumed by computers, machinery, or
 83 14 other equipment for operation of the data center business
 83 15 facility.

83 16 Sec. 199. Section 423.4, Code 2009, is amended by adding
 83 17 the following new subsection:
 83 18 NEW SUBSECTION . 9. a. The owner of a data center
 83 19 business, as defined in section 423.3, subsection 95,
 83 20 paragraph "e", located in this state that is not eligible for
 83 21 the exemption under section 423.3, subsection 95, may make an
 83 22 annual application to the department for the refund of fifty
 83 23 percent of the sales or use tax upon all of the following:
 83 24 (1) The sales price from the sale or rental of computers
 83 25 and equipment that are necessary for the maintenance and
 83 26 operation of a data center business and property whether
 83 27 directly or indirectly connected to the computers, including
 83 28 but not limited to cooling systems, cooling towers, and other
 83 29 temperature control infrastructure; power infrastructure for
 83 30 transformation, distribution, or management of electricity
 83 31 used for the maintenance and operation of the data center
 83 32 business including but not limited to exterior dedicated
 83 33 business-owned substations, backup power generation systems,
 83 34 battery systems, and related infrastructure; and racking
 83 35 systems, cabling, and trays, which are necessary for the

CODE: Permits an eligible data center business to file a sales/use tax refund for 50.00% of the State sales/use tax rate of 5.00% for sales of back-up fuel and electricity. Prohibits the business from being eligible for a refund of State sales tax deposited in the Secure and Advanced Vision for Education Fund or the Local Option Sales Tax (LOST). Specifies that if the investment level is \$5,000,000 in a rehabilitated building or \$10,000,000 in new construction up to \$136,000,000, the refund eligibility is 10 years. If the investment level is between \$136,000,000 and \$200,000,000 the refund eligibility period is seven years.

DETAIL: The Department of Economic Development has indicated that there are a number of projects currently in development that may qualify for this tax refund provision. The exact number of projects that may be eligible is currently not known.

FISCAL IMPACT: The fiscal impact is currently not known.

84 1 maintenance and operation of the data center business.
84 2 (2) The sales price of backup power generation fuel that
84 3 is purchased by a data center business for use in the items
84 4 listed in subparagraph (1).
84 5 (3) The sales price of electricity purchased for use in
84 6 providing data center services.
84 7 b. A data center business shall qualify for the partial
84 8 refund in this subsection if all of the following criteria are
84 9 met:
84 10 (1) The data center business shall have a physical
84 11 location in the state which is at least five thousand square
84 12 feet in size.
84 13 (2) The data center business shall make a minimum
84 14 investment of at least ten million dollars, in the case of new
84 15 construction, or at least five million dollars in the case of
84 16 a rehabilitated building, in an Iowa physical location within
84 17 the first six years of operation in Iowa, beginning with the
84 18 date on which the data center business initiates site
84 19 preparation activities. The minimum investment includes the
84 20 initial investment, including the value of a lease agreement
84 21 or the amount invested in land and subsequent acquisition of
84 22 additional adjacent land and subsequent investment at the Iowa
84 23 location.
84 24 (3) If the data center business is leasing a building to
84 25 house operations, the data center business shall enter into a
84 26 lease that is at least five years in duration.
84 27 (4) The data center business shall comply with the
84 28 sustainable design and construction standards established by
84 29 the state building code commissioner pursuant to section
84 30 103A.8B.
84 31 c. The refund allowed under this subsection shall be
84 32 available for the following periods of time:
84 33 (1) For an investment of at least ten million dollars, in
84 34 the case of new construction, or at least five million
84 35 dollars, in the case of a rehabilitated building, but less
85 1 than one hundred thirty-six million dollars, ten years.
85 2 (2) For an investment of at least one hundred thirty-six
85 3 million dollars, but less than two hundred million dollars,

85 4 seven years.
85 5 d. The refund may be obtained only in the following manner
85 6 and under the following conditions:
85 7 (1) The applicant shall use forms furnished by the
85 8 department.
85 9 (2) The applicant shall separately list the amounts of
85 10 sales and use tax paid during the reporting period.
85 11 (3) The applicant may request when the refund begins, but
85 12 it must start on the first day of a month and proceed for a
85 13 continuous twelve-month period.
85 14 e. In determining the amount to be refunded, if the dates
85 15 of the utility billing or meter reading cycle for the sale or
85 16 furnishing of metered gas and electricity are on or after the
85 17 first day of the first month through the last day of the last
85 18 month of the refund year, fifty percent of the amount of tax
85 19 charged in the billings shall be refunded. In determining the
85 20 amount to be refunded, if the dates of the sale or furnishing
85 21 of fuel for purposes of commercial energy and the delivery of
85 22 the fuel are on or after the first day of the first month
85 23 through the last day of the last month of the refund year,
85 24 fifty percent of the amount of tax charged in the billings
85 25 shall be refunded.
85 26 f. To receive refunds during the applicable refund period,
85 27 the applicant shall file a refund claim within three months
85 28 after the end of each refund year.
85 29 g. The refund in this subsection applies only to state
85 30 sales and use tax paid and does not apply to local option
85 31 sales and services taxes imposed pursuant to chapter 423B.
85 32 Notwithstanding the state sales tax imposed in section 423.2,
85 33 a refund issued pursuant to this section shall not exceed an
85 34 amount equal to five percent of the sales price of the items
85 35 listed in paragraph "a", subparagraphs (1), (2), and (3).

86 1 Sec. 200. Section 427.1, Code 2009, is amended by adding
86 2 the following new subsection:
86 3 NEW SUBSECTION . 37. DATA CENTER BUSINESS PROPERTY.
86 4 a. Property, other than land and buildings and other

CODE: Adds data center business property to the definition of property that is exempt from property tax.

DETAIL: Data center businesses eligible for the property tax

86 5 improvements, that is utilized by a data center business as
86 6 defined in and meeting the requirements of section 423.3,
86 7 subsection 95, including computers and equipment that are
86 8 necessary for the maintenance and operation of a data center
86 9 business and other property whether directly or indirectly
86 10 connected to the computers, including but not limited to
86 11 cooling systems, cooling towers, and other temperature control
86 12 infrastructure; power infrastructure for transformation,
86 13 distribution, or management of electricity, including but not
86 14 limited to exterior dedicated business-owned substations, and
86 15 power distribution systems which are not subject to assessment
86 16 under chapter 437A; racking systems, cabling, and trays; and
86 17 backup power generation systems, battery systems, and related
86 18 infrastructure all of which are necessary for the maintenance
86 19 and operation of the data center business.
86 20 b. This data center business exemption applies beginning
86 21 with the assessment year the investment in or construction of
86 22 the facility utilizing the materials, equipment, and systems
86 23 set forth in paragraph "a" are first assessed.

exemption are required to meet the \$200,000,000 capital investment requirement specified in Section 197 of this Bill.

FISCAL IMPACT: The fiscal impact is currently not known. The property tax impact will occur two years after the initial investment and will vary based on the investment level.

86 24 Sec. 201. IMPLEMENTATION. Section 25B.7 does not apply to
86 25 the property tax exemption enacted in this Act.

The requirements of Section 25B.7, Code of Iowa, requiring State funding of property tax exemptions, do not apply to exemptions in this Bill.

86 26 Sec. 202. APPLICABILITY DATE PROVISION. The sections of
86 27 this Act providing sales and use tax refunds apply to sales
86 28 and use tax paid on or after July 1, 2009.

The Sections relating to changes in sales and use tax refunds apply to States sales and use tax paid beginning July 1, 2009.

86 29 DIVISION XVI
86 30 CONTRACTOR REGISTRATION

86 31 Sec. 203. Section 91C.4, Code 2009, is amended to read as
86 32 follows:
86 33 91C.4 FEES
86 34 The labor commissioner shall prescribe the fee for

CODE: Increases the contractor registration fee from \$25 every two years to \$50 every year. Strikes the provision that the fees be deposited in the State General Fund.

86 35 registration, which fee shall not exceed ~~twenty-five~~ fifty
 87 1 dollars every ~~two years~~ year . ~~All fees collected shall be~~
 87 2 ~~deposited in the general fund of the state.~~

DETAIL: The current \$25 fee every two years generates an estimated \$225,000 per year. A \$50 fee every year for the same 18,000 contractors would generate an increase of \$675,000 per year for a total of \$900,000 per year. The General Fund revenue will decrease by \$225,000 per year. The Funds will be deposited in the Contractor Registration Revolving Fund created in Section 205 of this Bill.

87 3 Sec. 204. Section 91C.7, subsection 2, paragraph b, Code
 87 4 2009, is amended to read as follows:
 87 5 b. An out-of-state contractor may file a blanket bond in
 87 6 an amount at least equal to fifty thousand dollars for ~~the~~
 87 7 ~~registration a two-year period established under section 91C.4~~
 87 8 in lieu of filing an individual bond for each contract. The
 87 9 division of labor services of the department of workforce
 87 10 development may increase the bond amount after a hearing.

CODE: Requires the bond for an out-of-State contractor to remain at \$50,000 for the two-year period by striking a statutory reference providing for changes in the timeframe for contractor registration fees.

87 11 Sec. 205. NEW SECTION . 91C.9 REGISTRATION FUND.
 87 12 1. A contractor registration revolving fund is created in
 87 13 the state treasury. The revolving fund shall be administered
 87 14 by the commissioner and shall consist of moneys collected by
 87 15 the commissioner as fees. The commissioner shall remit all
 87 16 fees collected pursuant to this chapter to the revolving fund.
 87 17 The moneys in the revolving fund are appropriated to and shall
 87 18 be used by the commissioner to pay the actual costs and
 87 19 expenses necessary to perform the duties of the commissioner
 87 20 and the division of labor as described in this chapter. All
 87 21 salaries and expenses properly chargeable to the revolving
 87 22 fund shall be paid from the revolving fund.
 87 23 2. Section 8.33 does not apply to any moneys in the
 87 24 revolving fund. Notwithstanding section 12C.7, subsection 2,
 87 25 earnings or interest on moneys deposited in the fund shall be
 87 26 credited to the revolving fund.

CODE: Creates a Contractor Registration Revolving Fund in the State Treasury under the administration of the Labor Commissioner. Interest earnings from the Fund will be credited to the Fund.

87 27 Sec. 206. EMERGENCY RULES. The commissioner may adopt
 87 28 emergency rules under section 17A.4, subsection 3, and section

Permits the Labor Commissioner to adopt emergency administrative rules to implement changes relating to contractor registration fees and

87 29 17A.5, subsection 2, paragraph "b", to implement the
 87 30 provisions of this Act amending chapter 91C, and the rules
 87 31 shall be effective immediately upon filing unless a later date
 87 32 is specified in the rules. Any rules adopted in accordance
 87 33 with this section shall also be published as a notice of
 87 34 intended action as provided in section 17A.4.

the Contractor Registration Revolving Fund.

87 35 Sec. 207. REGISTRATION FUND == CASH FLOW. Notwithstanding
 88 1 contrary provisions of section 89.8, and of section 91C.9 as
 88 2 enacted in this Act, for the fiscal year beginning July 1,
 88 3 2009, and ending June 30, 2010, the commissioner may allocate,
 88 4 for cash flow purposes, up to one hundred thousand dollars
 88 5 from moneys in the boiler and pressure vessel safety revolving
 88 6 fund created in section 89.8, to the contractor registration
 88 7 revolving fund created in section 91C.9 as enacted in this
 88 8 Act, provided that such moneys are returned to the boiler and
 88 9 pressure vessel safety revolving fund by June 30, 2010.

Permits the Labor Commissioner to temporarily allocate up to \$100,000 from the Boiler and Pressure Vessel Safety Revolving Fund to the Contractor Registration Revolving Fund for cash flow purposes during FY 2010.

88 10 DIVISION XVII
 88 11 CHILD CARE REGULATORY FEE

88 12 Sec. 208. NEW SECTION . 237A.4A CHILD CARE REGULATORY FEE
 88 13 == CHILD CARE FACILITY FUND.
 88 14 1. a. The department shall implement a regulatory fee for
 88 15 licensure of child care facilities. The fee requirements
 88 16 shall provide for tiered amounts based upon a child care
 88 17 facility's capacity and a child development home's regulatory
 88 18 category at the time of licensure.
 88 19 b. The regulatory fee for centers shall not exceed one
 88 20 hundred fifty dollars.
 88 21 c. The regulatory fee for category "A" and "B" child
 88 22 development homes shall not exceed one hundred fifty dollars
 88 23 and the fee for category "C" child development homes shall not
 88 24 exceed one hundred eighty-seven dollars.
 88 25 d. The department shall adopt rules for implementation of
 88 26 the fee.

CODE: Implements a regulatory fee for licensure of child care facilities. Prohibits the Department of Human Services from supplanting existing funding for the regulation of the new child care regulations derived from the fee. The fees are to be used to phase-in annual inspections of all child development homes by FY 2014. Establishes the Child Care Facility Fund under the authority of the DHS.

DETAIL: Fees are to be deposited in the Child Care Facility Fund. The regulatory fees and the savings realized by transferring the cost of State background checks from the DHS to child care centers are estimated to generate \$153,750 in FY 2010 for the Fund. After FY 2010 estimated expenditures, \$87,862 is expected to carry forward from FY 2010 to FY 2011. In FY 2011, the fees, savings, and carryforward are estimated to generate \$505,280 for the Fund. After FY 2011 estimated expenditures, \$248,799 is expected to carry

88 27 2. Regulatory fees collected shall augment existing forward from FY 2011 to FY 2012.
88 28 funding for regulation of child care facilities in order to
88 29 phase in annual inspections of child development homes and
88 30 improve inspections of child care centers. The department
88 31 shall not supplant existing funding for regulation of child
88 32 care with funding derived from the regulatory fee. The
88 33 department shall seek to meet the following target percentages
88 34 of the total number of child development homes in the state
88 35 inspected annually in phasing in the annual inspection of all
89 1 child development homes:
89 2 a. For the fiscal year beginning July 1, 2009, twenty
89 3 percent.
89 4 b. For the fiscal year beginning July 1, 2010, forty
89 5 percent.
89 6 c. For the fiscal year beginning July 1, 2011, sixty
89 7 percent.
89 8 d. For the fiscal year beginning July 1, 2012, eighty
89 9 percent.
89 10 e. For the fiscal year beginning July 1, 2013, and
89 11 succeeding fiscal years, one hundred percent.
89 12 3. a. In phasing in the inspection of child development
89 13 homes, the department shall give priority to child development
89 14 homes that have recently become licensed and have paid the
89 15 regulatory fee implemented pursuant to this section.
89 16 b. The results of an inspection of a child care facility
89 17 shall be made publicly available on the internet page or site
89 18 implemented by the department in accordance with section
89 19 237A.25 and through other means.
89 20 4. The target time frame for the department's issuance of
89 21 the report concerning an inspection or other regulatory visit
89 22 to a child care facility is sixty calendar days.
89 23 5. A child care facility fund is created in the state
89 24 treasury under the authority of the department. The fund is
89 25 separate from the general fund of the state. Regulatory fees
89 26 collected under subsection 1 shall be credited to the fund.
89 27 Moneys credited to the fund shall not revert to any other fund
89 28 and are not subject to transfer except as specifically
89 29 provided by law. Notwithstanding section 12C.7, subsection 2,

89 30 interest or earnings on moneys deposited in the fund shall be
89 31 credited to the fund. Moneys in the fund are annually
89 32 appropriated to the department to be used for staffing
89 33 dedicated to monitoring and regulation of child care
89 34 facilities, contracting, related technology costs, record
89 35 checks, grants and fee waivers, and other expenses for
90 1 inspection and regulation of child care facilities. Any
90 2 full-time equivalent positions paid for out of the fund shall
90 3 be in addition to other such positions authorized for the
90 4 department.

90 5 Sec. 209. Section 237A.5, subsection 2, paragraphs b and
90 6 c, Code 2009, are amended to read as follows:

90 7 b. If an individual person subject to a record check is
90 8 being considered for employment by a child care facility or
90 9 child care home provider, in lieu of requesting a record check
90 10 in this state to be conducted by the department under
90 11 paragraph "c", the child care facility or child care home may
90 12 access the single contact repository established pursuant to
90 13 section 135C.33 as necessary to conduct a criminal and child
90 14 abuse record check of the individual in this state. A copy of
90 15 the results of the record check conducted through the single
90 16 contact repository shall also be provided to the department.
90 17 If the record check indicates the individual is a person
90 18 subject to an evaluation, the child care facility or child
90 19 care home may request that the department perform an
90 20 evaluation as provided in this subsection. Otherwise, the
90 21 individual shall not be employed by the child care facility or
90 22 child care home.

90 23 c. Unless a record check has already been conducted in
90 24 accordance with paragraph "b", the department shall conduct a
90 25 criminal and child abuse record check in this state for a
90 26 person who is subject to a record check and may conduct such a
90 27 check in other states. In addition, the department may
90 28 conduct a dependent adult abuse, sex offender registry, or
90 29 other public or civil offense record check in this state or in
90 30 other states for a person who is subject to a record check.

CODE: Requires federal background checks in addition to State background checks for child care providers to obtain licensure. Delineates the timeframe for the required checks. Repeals the new requirement for owners of a licensed child care center or licensed child development home on July 1, 2013.

DETAIL: Child care centers will be required to pay for the cost of both State and federal background checks beginning January 1, 2010. For child care development homes that participate in the voluntary licensure program, the costs of the federal and State background checks will be included in the regulatory fee. It is expected that the DHS will save an estimated \$97,500 by this change in FY 2010 and \$195,000 in FY 2011 and annually thereafter. The savings realized from this change are directed to the Child Care Facility Fund.

90 31 cc. (1) For a person subject to a record check, in
90 32 addition to any other record check conducted pursuant to this
90 33 subsection, the person's fingerprints shall be provided to the
90 34 department of public safety for submission through the state
90 35 criminal history repository to the United States department of
91 1 justice, federal bureau of investigation for a national
91 2 criminal history check. The national criminal history check
91 3 shall be repeated every four years.
91 4 (2) Except as otherwise provided by law, the cost of a
91 5 national criminal history check conducted in accordance with
91 6 subparagraph (1) and the state record checks conducted in
91 7 accordance with paragraph "c" that are conducted in connection
91 8 with a person's involvement with a child care center are not
91 9 the responsibility of the department. The department is
91 10 responsible for the cost of such checks conducted in
91 11 connection with a person's involvement with a child
91 12 development home or child care home.
91 13 (3) If record checks under paragraph "b" or "c" have been
91 14 conducted on a person subject to a record check and the
91 15 results do not warrant prohibition of the person's involvement
91 16 with child care or otherwise present protective concerns, the
91 17 person may be involved with child care on a provisional basis
91 18 until the record check under subparagraph (1) has been
91 19 completed.
91 20 (4) For the period beginning July 1, 2009, and ending June
91 21 30, 2013:
91 22 (a) The requirement in subparagraph (1) shall only apply
91 23 to owners and employees of licensed child care centers and
91 24 licensed child development homes and is applicable beginning
91 25 on and after January 1, 2010, at the time of initial
91 26 application for or renewal of a center's or home's license and
91 27 the cost provisions of subparagraph (2) are applicable to
91 28 owners and employees of centers beginning at the same time.
91 29 (b) Except for child development home providers who
91 30 voluntarily license and are addressed by subparagraph division
91 31 (a), and child development home providers participating in the
91 32 child care quality rating system at a level under which
91 33 national records checks are required in accordance with

91 34 departmental rule, the national record check requirement in
91 35 subparagraph (1) is not applicable in connection with a child
92 1 development home or child care home throughout the period.
92 2 (c) This subparagraph (4) is repealed on July 1, 2013.
92 3 ccc. (1) If a record check performed pursuant to this
92 4 paragraph subsection identifies an individual as a person
92 5 subject to an evaluation, an evaluation shall be performed to
92 6 determine whether prohibition of the person's involvement with
92 7 child care is warranted. The evaluation shall be performed in
92 8 accordance with procedures adopted for this purpose by the
92 9 department.
92 10 (2) Prior to performing an evaluation, the department
92 11 shall notify the affected person, licensee, registrant, or
92 12 child care home applying for or receiving public funding for
92 13 providing child care, that an evaluation will be conducted to
92 14 determine whether prohibition of the person's involvement with
92 15 child care is warranted.

92 16 Sec. 210. IMPLEMENTATION.

92 17 1. The department of human services shall adopt
92 18 administrative rules to begin implementation of the regulatory
92 19 fee authorized to be imposed by this division of this Act on
92 20 or after January 1, 2010.
92 21 2. It is the intent of the general assembly to enact
92 22 required licensure of child development homes commencing on
92 23 July 1, 2013, and for the licensure requirement to provide
92 24 exemptions for child care provided by a relative to only
92 25 related children, a person providing before or after school
92 26 child care without charge to only children of friends or
92 27 neighbors, or a person providing child care to only children
92 28 from a single unrelated family. Beginning on the effective
92 29 date of this division of this Act, the department of human
92 30 services shall begin transition activities for such
92 31 implementation of child development home licensure. The
92 32 transition activities may include all of the following:
92 33 a. Implementation of an ongoing public awareness campaign
92 34 to inform child care providers and consumers of child care

Requires the Department of Human Services (DHS) to adopt administrative rules for the specified regulatory fee to start on or after January 1, 2010.

Specifies legislative intent that exemptions to child care regulation for child care homes be for specified relatives, under certain financial agreements, or for a single unrelated family.

Specifies the transition activities the DHS is to undertake for child development home licensure. Requires the DHS to collaborate with various child care providers or entities regarding sustainable funding sources for the child development home licensing requirement. Requires the DHS to submit a plan to the General Assembly by December 15, 2010.

92 35 services of the intended licensure requirement.

93 1 b. Implementation of a voluntary child development home

93 2 licensing program on or after July 1, 2010. The department

93 3 shall adopt rules for the voluntary program. The rules may

93 4 include but are not limited to provisions to limit the number

93 5 of voluntary licensure applications accepted as necessary to

93 6 limit related expenditures within the funding available. The

93 7 rules shall address all qualification levels of providers who

93 8 apply for licensure under the voluntary program. However, a

93 9 prelicensure inspection shall not be required for initial

93 10 licensure of a child development home provider who meets all

93 11 of the following requirements:

93 12 (1) The provider's registration is in good standing at the

93 13 time of application for a license.

93 14 (2) The provider has a rating of 3, 4, or 5 under the

93 15 child care quality rating system implemented pursuant to

93 16 section 237A.30 as of the application date. The provider must

93 17 either maintain or achieve a higher rating, throughout the

93 18 period of voluntary licensure.

93 19 (3) The provider has passed a registration compliance

93 20 check by the department or achieved a rating specified in

93 21 subparagraph (2) within the two=year period preceding the

93 22 application date.

93 23 c. Any cost savings realized by the department during the

93 24 transition period due to licensed child care centers or their

93 25 employees assuming responsibility for the cost of required

93 26 record checks in place of the department shall be transferred

93 27 to the child care facility fund created by this division of

93 28 this Act.

93 29 d. The department, in collaboration with representatives

93 30 of the community empowerment initiative, the state child care

93 31 advisory council, the early childhood Iowa council, child care

93 32 providers active with the Iowa affiliate of the American

93 33 federation of state, county, and municipal employees, and

93 34 others involved with early care, shall develop a plan for

93 35 creating sustainable funding sources to support home=based

94 1 child care providers in meeting the intended child development

94 2 home licensing requirement. The plan shall be submitted to

94 3 the governor and general assembly on or before December 15,
94 4 2010.

94 5 DIVISION XVIII

94 6 AUTOMOBILE RACETRACK FACILITIES

94 7 Sec. 211. Section 423.4, subsection 5, paragraph a,
94 8 subparagraphs (2), (3), and (4), Code 2009, are amended to
94 9 read as follows:

94 10 (2) "Change of control" means any of the following:

94 11 (a) Any change in the ownership of the original or any
94 12 subsequent legal entity that is the owner or operator of the
94 13 automobile racetrack facility such that ~~at least sixty~~ less
94 14 than twenty=five percent of the equity interests in the legal
94 15 entity ~~cease to be~~ is owned by individuals who are residents
94 16 of Iowa, an Iowa corporation, or combination of both.

94 17 (b) The original owners of the legal entity that is the
94 18 owner or operator of the automobile racetrack facility shall
94 19 collectively cease to own ~~more than fifty~~ at least twenty=five
94 20 percent of the voting equity interests of such legal entity ~~or~~
94 21 ~~shall otherwise cease to have effective control of such legal~~
94 22 ~~entity~~.

94 23 (3) "Iowa corporation" means a corporation incorporated
94 24 under the laws of Iowa where at least ~~sixty~~ twenty=five
94 25 percent of the corporation's equity interests are owned by
94 26 individuals who are residents of Iowa.

94 27 (4) "Owner or operator" means a for=profit legal entity
94 28 where at least ~~sixty~~ twenty=five percent of its equity
94 29 interests are owned by individuals who are residents of Iowa,
94 30 an Iowa corporation, or combination of both and that is the
94 31 owner or operator of an automobile racetrack facility and is
94 32 primarily a promoter of motor vehicle races.

94 33 Sec. 212. Section 423.4, subsection 5, paragraph c,
94 34 subparagraph (4), Code 2009, is amended to read as follows:

94 35 (4) Notwithstanding subparagraph (3), the rebate of sales
95 1 tax shall cease for transactions occurring on or after the

CODE: Modifies a requirement that the Newton racetrack be owned at least 60.00% by Iowa residents to receive a special sales tax rebate. The provision changes the required ownership percentage to at least 25.00%.

FISCAL IMPACT: Under current law, the special sales tax rebate available to the Newton racetrack will be void if the facility is sold (Section 423.4(5)(c)(4), Code of Iowa). Therefore, if the facility is sold and continues to operate, annual net General Fund revenue will increase approximately \$500,000 since the special sales tax rebate will no longer apply. This provision allows the sales tax rebate to continue as long as the Iowa ownership percentage is 25.0% or higher. The fiscal impact of the provision, contingent on a sale of the facility where the Iowa ownership percentage is between 25.00% and 60.00%, is an annual net General Fund revenue reduction of \$500,000, effective the date of the sale.

95 2 date of the sale or other transfer, whether voluntarily or
 95 3 involuntarily, of the automobile racetrack facility to a party
 95 4 other than the original owner of the facility or upon a change
 95 5 of control of such the automobile racetrack facility.

95 6 DIVISION XIX
 95 7 HUNTING

95 8 Sec. 213. Section 481A.21, Code 2009, is amended to read
 95 9 as follows:

95 10 481A.21 BIRDS AS TARGETS.

95 11 A person shall not keep or use any live pigeon or other
 95 12 bird as a target, to be shot at for amusement or as a test of
 95 13 skill in marksmanship, or shoot at a bird kept or used for
 95 14 such purpose, or be a party to such shooting, or lease any
 95 15 building, room, field, or premises, or knowingly permit the
 95 16 use thereof, for the purpose of such shooting. This section
 95 17 does not prevent any person from shooting at live pigeons,
 95 18 sparrows, and starlings when used in the training of hunting
 95 19 dogs. This section does not prevent any person from shooting
 95 20 at a bird that is released a minimum of fifty yards from that
 95 21 person on a licensed hunting preserve.

CODE: Permits the shooting of live pigeons released at a minimum of 50 yards at a licensed hunting preserve.

95 22 Sec. 214. Section 483A.1, subsection 2, paragraphs c, d,
 95 23 e, f, and g, Code 2009, are amended to read as follows:

95 24 c. Hunting license, eighteen years of
 95 25 age or older \$ ~~80.00~~
 95 26 110.00

95 27 d. Hunting license, under eighteen
 95 28 years of age \$ 30.00

95 29 e. Deer hunting license, antlered or
 95 30 any sex deer \$ ~~220.00~~
 95 31 295.00

95 32 f. Deer hunting license, antlerless
 95 33 deer only, required with the purchase

CODE: Increases the nonresident hunting license fees.

DETAIL: These fee increases are expected to generate \$1,700,000 million annually for deposit in the Fish and Game Trust Fund.

95 34 of an antlered or any sex deer hunting
 95 35 license \$ 100.00
 96 1 125.00
 96 2 g. Deer hunting license, antlerless
 96 3 deer only \$ 150.00
 96 4 225.00

96 5 Sec. 215. Section 483A.1, subsection 2, Code 2009, is
 96 6 amended by adding the following new paragraph:
 96 7 NEW PARAGRAPH . gg. Holiday deer hunting license
 96 8 issued under section 483A.8, subsection 6,
 96 9 antlerless deer only..... \$ 75.00

CODE: Adds an annual nonresident Holiday Antlerless Deer License fee of \$75.00.

DETAIL: This fee is expected to generate \$7,000 annually for deposit in the Fish and Game Trust Fund.

96 10 Sec. 216. Section 483A.8, subsection 6, Code 2009, is
 96 11 amended to read as follows:
 96 12 6. The commission shall provide by rule for the annual
 96 13 issuance to a nonresident of a nonresident antlerless deer
 96 14 hunting license that is valid for use only during the period
 96 15 beginning on December 24 and ending at sunset on January 2 of
 96 16 the following year, and costs ~~fifty~~ seventy=five dollars. A
 96 17 nonresident hunting deer with a license issued under this
 96 18 subsection shall be otherwise qualified to hunt deer in this
 96 19 state and shall have a nonresident hunting license, pay the
 96 20 wildlife habitat fee, and pay the one dollar fee for the
 96 21 purpose of deer herd population management as provided in
 96 22 subsection 3. Pursuant to this subsection, the commission
 96 23 shall make available for issuance only the remaining
 96 24 nonresident antlerless deer hunting licenses allocated under
 96 25 subsection 3 that have not yet been issued for the current
 96 26 year's nonresident antlerless deer hunting seasons.

CODE: Increases the annual nonresident antlerless deer hunting license fee from \$50.00 to \$75.00.

DETAIL: This increase is expected to generate an additional \$7,000 annually for deposit in the Fish and Game Trust Fund.

96 27 Sec. 217. EFFECTIVE DATE. This division of this Act,
 96 28 being deemed of immediate importance, takes effect upon
 96 29 enactment.

The nonresident hunting license fee increases are effective on enactment.

96 31 NONPROFIT YOUTH ATHLETIC GROUPS

96 32 Sec. 218. Section 423.3, subsection 78, Code 2009, is
96 33 amended to read as follows:

96 34 78. a. The sales price from sales or rental of tangible
96 35 personal property, or services rendered by any entity where
97 1 the profits from the sales or rental of the tangible personal
97 2 property, or services rendered, are used by or donated to a
97 3 nonprofit entity ~~which~~ that is exempt from federal income
97 4 taxation pursuant to section 501(c)(3) of the Internal Revenue
97 5 Code, a government entity, or a nonprofit private educational
97 6 institution, and where the entire proceeds from the sales,
97 7 rental, or services are expended for any of the following
97 8 purposes:

97 9 ~~a.~~ (1) Educational.

97 10 ~~b.~~ (2) Religious.

97 11 ~~c.~~ (3) Charitable. A charitable act is an act done out
97 12 of goodwill, benevolence, and a desire to add to or to improve
97 13 the good of humankind in general or any class or portion of
97 14 humankind, with no pecuniary profit inuring to the person
97 15 performing the service or giving the gift.

97 16 b. For purposes of this exemption, an organization that
97 17 meets the requirements of paragraph "a" and which is created
97 18 for the sole or primary purpose of providing athletic
97 19 activities to youth shall be considered created for an
97 20 educational purpose.

97 21 c. This exemption does not apply to the sales price from
97 22 games of skill, games of chance, raffles, and bingo games as
97 23 defined in chapter 99B. This exemption is disallowed on the
97 24 amount of the sales price only to the extent the profits from
97 25 the sales, rental, or services are not used by or donated to
97 26 the appropriate entity and expended for educational,
97 27 religious, or charitable purposes.

97 28 Sec. 219. REFUNDS. Refunds of taxes, interest, or
97 29 penalties which arise from claims resulting from the

CODE: Adds organizations that provide athletic activities to youth to the list of groups that qualify for sales tax exemptions.

DETAIL: This Section is effective on enactment and retroactive to July 1, 1998.

FISCAL IMPACT: The estimated fiscal impact is a decrease in sales/use tax revenues of \$150,000 in FY 2010 and \$100,000 in future fiscal years.

Limits the aggregate total claims for the nonprofit youth athletic group sales tax exemptions to \$50,000 between July 1, 1998, and the effective date of the provision (upon enactment). Requires proration if

97 30 provisions of this division of this Act enacting section
97 31 423.3, subsection 78, new paragraph "b", for the sales price
97 32 from sales or rental of tangible personal property, or
97 33 services occurring between July 1, 1998, and the effective
97 34 date of section 423.3, subsection 78, new paragraph "b", shall
97 35 be limited to fifty thousand dollars in the aggregate and
98 1 shall not be allowed unless refund claims are filed prior to
98 2 October 1, 2009, notwithstanding any other provision of law.
98 3 If the amount of claims totals more than fifty thousand
98 4 dollars in the aggregate, the department of revenue shall
98 5 prorate the fifty thousand dollars among all claimants in
98 6 relation to the amounts of the claimants' valid claims.

the claims exceed that amount. Requires claims to be filed by
October 1, 2009.

98 7 Sec. 220. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.
98 8 The section of this division of this Act amending section
98 9 423.3, subsection 78, being deemed of immediate importance,
98 10 takes effect upon enactment and applies retroactively to July
98 11 1, 1998.

The Section adding the nonprofit youth athletic groups to the sales tax
exemption provision is effective on enactment and retroactive to July
1, 1998.

98 12 DIVISION XXI
98 13 MAGISTRATES

98 14 Sec. 221. Section 602.6401, subsection 4, Code 2009, is
98 15 amended to read as follows:
98 16 4. By March of each year in which magistrates' terms
98 17 expire, the state court administrator shall give notice to the
98 18 clerks of the district court and to the chief judges of the
98 19 judicial districts of the number of magistrates to which each
98 20 county is entitled. If the state court administrator does not
98 21 give the notice as required in this subsection by March of
98 22 each year in which magistrates' terms expire, the existing
98 23 magistrate apportionment in effect shall remain in effect
98 24 through the succeeding magistrates' terms, and any
98 25 apportionment performed pursuant to subsection 2 is void until
98 26 such succeeding terms expire.

CODE: Requires that if the State Court Administrator does not give
notice regarding apportionment of the number of magistrates to the
Clerks of District Court and to the Chief Judges of the judicial districts
by March of each year, the existing magistrate apportionment remains
in effect through the succeeding magistrates' terms and any
apportionment is void until such succeeding term expires.

This Section is effective on enactment and retroactive to January 1,
2009.

98 27 Sec. 222. EFFECTIVE DATE == RETROACTIVE APPLICABILITY.
98 28 This division of this Act, being deemed of immediate
98 29 importance, takes effect upon enactment and applies
98 30 retroactively to January 1, 2009, to void any apportionment
98 31 for which notice was not given by March of 2009.

The Section requiring the State Court Administrator to give notice by March of each year to the Clerks of District Court and to the Chief Judges of the judicial districts regarding apportionment of the number of magistrates or the existing magistrate apportionment will remain in effect through the succeeding magistrates' terms and any apportionment is void until such succeeding term expires, is effective on enactment and retroactive to January 1, 2009.

98 32 DIVISION XXII
98 33 METHANE GAS CONVERSION PROPERTY

98 34 Sec. 223. Section 427.1, subsection 29, paragraph a, Code
98 35 2009, is amended to read as follows:
99 1 a. For purposes of this subsection, "methane gas
99 2 conversion property" means personal property, real property,
99 3 and improvements to real property, and machinery, equipment,
99 4 and computers assessed as real property pursuant to section
99 5 427A.1, subsection 1, paragraphs "e" and "j", used in an
99 6 operation ~~connected with, or in conjunction with, a publicly~~
99 7 ~~owned sanitary landfill~~ to decompose waste and convert the
99 8 waste to gas, to collect methane gas or other gases produced
99 9 as a by-product of waste decomposition and to convert the gas
99 10 to energy, or to collect waste ~~that would otherwise be~~
99 11 ~~collected by, or deposited with, a publicly owned sanitary~~
99 12 ~~landfill~~ in order to decompose the waste to produce methane
99 13 gas or other gases and to convert the gas to energy. ~~However,~~
99 14 ~~property used to decompose the waste and convert the waste to~~
99 15 ~~gas is not eligible for this exemption.~~

CODE: Changes the definition of methane gas conversion property to include certain conversion of waste to gas. Eliminates the requirement to be directly connected with a publicly-owned sanitary landfill.

99 16 Sec. 224. Section 427.1, subsection 29, Code 2009, is
99 17 amended by adding the following new paragraph:
99 18 NEW PARAGRAPH . d. With respect to methane gas conversion
99 19 property other than that used in an operation connected with,
99 20 or in conjunction with, a publicly owned sanitary landfill,
99 21 the exemption pursuant to this subsection shall be limited to
99 22 property originally placed in operation on or after January 1,

CODE: Limits the methane gas conversion property related to sanitary landfill changes to property placed in operation between January 1, 2008, and December 31, 2012. Limits the number of years of eligibility to 10 after the date placed in operation.

99 23 2008, and on or before December 31, 2012, and shall be
99 24 available for the ten-year period following the date the
99 25 property was originally placed in operation.

99 26 Sec. 225. Section 437A.6, subsection 1, paragraph d, Code
99 27 2009, is amended to read as follows:
99 28 d. Methane gas conversion property subject to section
99 29 427.1, subsection 29, to the extent the property is used in
99 30 connection with, or in conjunction with, a publicly owned
99 31 sanitary landfill or used to collect waste that would
99 32 otherwise be collected by, or deposited with, a publicly owned
99 33 sanitary landfill.

CODE: Maintains current law related to the property tax exemption of methane gas conversion property associated with a publicly owned landfill.

99 34 Sec. 226. IMPLEMENTATION. Section 25B.7 does not apply to
99 35 the property tax exemption amended in this division of this
100 1 Act.

Requires a political subdivision to provide the methane gas conversion property tax exemption without receiving a State appropriation.

100 2 Sec. 227. EFFECTIVE AND APPLICABILITY DATES. This
100 3 division of this Act, being deemed of immediate importance,
100 4 takes effect upon enactment and applies retroactively to
100 5 assessment years beginning on or after January 1, 2008.
100 6 Notwithstanding section 427.1, subsection 29, paragraph "c",
100 7 claims for exemption for the 2008 and 2009 assessment years
100 8 shall be filed with the appropriate assessing authority on or
100 9 before June 30, 2009.

CODE: The Sections relating to methane gas conversion are effective on enactment and retroactive to January 1, 2008. Requires exemption claims for the 2008 and 2009 assessment years to be filed by June 30, 2009.

100 10 DIVISION XXIII
100 11 CITY FRANCHISE FEES AND CITY UTILITIES

100 12 Sec. 228. Section 364.2, subsection 4, paragraph f, Code
100 13 2009, is amended to read as follows:
100 14 f. A franchise fee assessed by a city may be based upon a
100 15 percentage of gross revenues generated from sales of the
100 16 franchisee within the city not to exceed five percent, without

CODE: Permits a city to base a franchise fee on the percentage of gross revenues from sales of the franchisee not to exceed 5.00%. Requires the franchise fees to be deposited in a city's general fund.

Requires a revenue purpose statement to be prepared for the purpose of revenue collected from an increased rate from a franchise fee

100 17 regard to the city's cost of inspecting, supervising, and
 100 18 otherwise regulating the franchise. Franchise fees collected
 100 19 pursuant to an ordinance in effect on the effective date of
 100 20 this division of this Act shall be deposited in the city's
 100 21 general fund and such fees collected in excess of the amounts
 100 22 necessary to inspect, supervise, and otherwise regulate the
 100 23 franchise may be used by the city for any other purpose
 100 24 authorized by law. Franchise fees collected pursuant to an
 100 25 ordinance that is adopted or amended on or after the effective
 100 26 date of this division of this Act to increase the percentage
 100 27 rate at which franchise fees are assessed shall be credited to
 100 28 the franchise fee account within the city's general fund and
 100 29 used pursuant to section 384.3A. If a city franchise fee is
 100 30 assessed to customers of a franchise, the fee shall not be
 100 31 assessed to the city as a customer. Before a city adopts or
 100 32 amends a franchise fee rate ordinance or franchise ordinance
 100 33 to increase the percentage rate at which franchise fees are
 100 34 assessed, a revenue purpose statement shall be prepared
 100 35 specifying the purpose or purposes for which the revenue
 101 1 collected from the increased rate will be expended. If
 101 2 property tax relief is listed as a purpose, the revenue
 101 3 purpose statement shall also include information regarding the
 101 4 amount of the property tax relief to be provided with revenue
 101 5 collected from the increased rate. The revenue purpose
 101 6 statement shall be published as provided in section 362.3.

increase. Requires property tax relief information to be included if provided as a purpose of the revenue. Requires publication of the revenue purpose statement.

DETAIL: This language legalizes the current franchise tax practice of several cities, should the Court rule their current tax practice is illegal.

101 7 Sec. 229. Section 364.3, Code 2009, is amended by adding
 101 8 the following new subsection:
 101 9 NEW SUBSECTION . 10. A city which operates a utility that
 101 10 furnishes gas or electricity shall manage the right-of-way on
 101 11 a competitively neutral and nondiscriminatory basis. Such
 101 12 city utility shall be required to pay the fees and charges
 101 13 computed in the same manner as those fees and charges which
 101 14 are imposed by the city upon any other provider of a similar
 101 15 service within the corporate boundaries of the city. Such
 101 16 city utility shall also comply with the terms of the franchise
 101 17 granted by the city to the provider of a similar service.

CODE: Requires a city that operates a gasworks or electric light system to manage the right-of-way on a competitively neutral and nondiscriminatory basis. Requires the gasworks or electric system to pay the same fees computed in the same manner and comply with requirements that other providers of a similar services are required to pay and comply.

101 18 This subsection shall not be construed to prohibit the city
101 19 utility from making transfers of surplus as otherwise allowed
101 20 or from making in-kind contributions as otherwise allowed.
101 21 However, a city shall not require that transfers from the city
101 22 utility be in excess of the franchise fee amount imposed upon
101 23 the provider of a similar service unless otherwise agreed.

101 24 Sec. 230. NEW SECTION . 384.3A FRANCHISE FEE ACCOUNT ==
101 25 USE OF FRANCHISE FEE REVENUES.

101 26 1. A city that assesses a franchise fee pursuant to an
101 27 ordinance that is adopted or amended on or after the effective
101 28 date of this division of this Act to increase the percentage
101 29 rate at which franchise fees are assessed under section 364.2,
101 30 subsection 4, paragraph "f", shall establish a franchise fee
101 31 account within the city's general fund. All revenues
101 32 collected by a city pursuant to such an ordinance shall be
101 33 deposited in the account. Interest earned on revenues
101 34 deposited in the account shall remain in the account and be
101 35 used for the purposes specified in this section. Moneys in
102 1 the account are not subject to transfer to any other accounts
102 2 in the city's general fund or to any other funds established
102 3 by a city unless such transfer is for a purpose specified in
102 4 this section.

102 5 2. Moneys in the account shall be used for the purposes of
102 6 inspecting, supervising, and otherwise regulating each
102 7 franchise approved by the city.

102 8 3. Moneys in the account in excess of the amount necessary
102 9 for the purposes specified in subsection 2 shall be expended
102 10 for any of the following:

102 11 a. Property tax relief.

102 12 b. The repair, remediation, restoration, cleanup,
102 13 replacement, and improvement of existing public improvements
102 14 and other publicly owned property, buildings, and facilities.

102 15 c. Projects designed to prevent or mitigate future
102 16 disasters as defined in section 29C.2.

102 17 d. Energy conservation measures for low-income homeowners,
102 18 low-income energy assistance programs, and weatherization

CODE: Requires a city adopting or amending a franchise fee after the effective date of this Bill to establish a franchise fee account in the city's general fund. Specifies expenditure purposes from the fees for various city-related expenditures.

102 19 programs.
102 20 e. Public safety, including the equipping of fire, police,
102 21 emergency services, sanitation, street, and civil defense
102 22 departments.
102 23 f. The establishment, construction, reconstruction,
102 24 repair, equipping, remodeling, and extension of public works,
102 25 public utilities, and public transportation systems.
102 26 g. The construction, reconstruction, or repair of streets,
102 27 highways, bridges, sidewalks, pedestrian underpasses and
102 28 overpasses, street lighting fixtures, and public grounds, and
102 29 the acquisition of real estate needed for such purposes.
102 30 h. Property tax abatements, building permit fee
102 31 abatements, and abatement of other fees for property damaged
102 32 by a disaster as defined in section 29C.2.
102 33 i. Economic development activities and projects.

102 34 Sec. 231. EFFECTIVE DATE. This division of this Act,
102 35 being deemed of immediate importance, takes effect upon
103 1 enactment.

The Sections relating to the franchise fee based on a percentage of gross revenues are effective on enactment.

103 2 DIVISION XXIV
103 3 REPORTS OF REFUND CLAIMS

103 4 Sec. 232. Section 15.335, Code 2009, is amended by adding
103 5 the following new subsection:
103 6 NEW SUBSECTION . 6. The department of revenue shall by
103 7 February 15 of each year issue an annual report to the general
103 8 assembly containing the total amount of all claims made by
103 9 employers under this section, and the portion of the claims
103 10 issued as refunds, for all claims processed during the
103 11 previous calendar year, beginning with claims filed on or
103 12 after January 1, 2009. The report shall contain the name of
103 13 each claimant for whom a tax credit in excess of five hundred
103 14 thousand dollars was issued and the amount of the credit
103 15 received.

CODE: Requires the Department of Revenue to issue an annual report by February 15 regarding the research tax credit claims. Specifies the requirements to be included in the report

103 16 Sec. 233. Section 422.10, Code 2009, is amended by adding
103 17 the following new subsection:
103 18 NEW SUBSECTION . 6. The department shall by February 15 of
103 19 each year issue an annual report to the general assembly
103 20 containing the total amount of all claims made by employers
103 21 under this section and the portion of the claims issued as
103 22 refunds, for all claims processed during the previous calendar
103 23 year, beginning with claims filed on or after January 1, 2009.
103 24 The report shall contain the name of each claimant for whom a
103 25 tax credit in excess of five hundred thousand dollars was
103 26 issued and the amount of the credit received.

CODE: Requires the Department of Revenue to issue an annual report by February 15 regarding the research tax credit claims. Specifies the requirements to be included in the report

103 27 Sec. 234. Section 422.33, Code 2009, subsection 5, is
103 28 amended by adding the following new paragraph:
103 29 NEW PARAGRAPH . h. The department shall by February 15 of
103 30 each year issue an annual report to the general assembly
103 31 containing the total amount of all claims made by employers
103 32 under this subsection and the portion of the claims issued as
103 33 refunds, for all claims processed during the previous calendar
103 34 year, beginning with claims filed on or after January 1, 2009.
103 35 The report shall contain the name of each claimant for whom a
104 1 tax credit in excess of five hundred thousand dollars was
104 2 issued and the amount of the credit received.

CODE: Requires the Department of Revenue to issue an annual report by February 15 regarding the research tax credit claims. Specifies the requirements to be included in the report.

Summary Data

General Fund

	Actual FY 2008	Estimated Net FY 2009	Supp-Final Act. FY 2009	Revised Net FY 2009	Final Action FY 2010	Final Action vs Revised FY 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Administration and Regulation	\$ 0	\$ 0	\$ 0	\$ 0	\$ 3,498,690	\$ 3,498,690	
Economic Development	0	0	0	0	505,000	505,000	
Education	0	246,250	559,000	805,250	-1,991,715	-2,796,965	
Health and Human Services	0	0	0	0	4,451,493	4,451,493	
Justice System	31,282,538	30,365,185	2,960,000	33,325,185	15,757,596	-17,567,589	
Transportation, Infrastructure, and Capitals	0	0	0	0	1,500,000	1,500,000	
Unassigned Standings	70,544,192	110,212,717	0	110,212,717	144,631,000	34,418,283	
Grand Total	\$ 101,826,730	\$ 140,824,152	\$ 3,519,000	\$ 144,343,152	\$ 168,352,064	\$ 24,008,912	

Administration and Regulation

General Fund

	Actual FY 2008	Estimated Net FY 2009	Supp-Final Act. FY 2009	Revised Net FY 2009	Final Action FY 2010	Final Action vs Revised FY 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Governor</u>							
Governor's Office							
Governor's Office (Standings Bill)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 400,000	\$ 400,000	PG 34 LN 3
Total Governor	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 400,000</u>	<u>\$ 400,000</u>	
<u>Inspections & Appeals, Dept. of</u>							
Racing Commission							
Pari-Mutuel Regulation (Standing Bill)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 277,374	\$ 277,374	PG 31 LN 22
Riverboat Regulation (Standings Bill)	0	0	0	0	321,316	321,316	PG 31 LN 26
Total Inspections & Appeals, Dept. of	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 598,690</u>	<u>\$ 598,690</u>	
<u>Revenue, Dept. of</u>							
Revenue, Dept. of							
Operations	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,500,000	\$ 2,500,000	PG 33 LN 30
Total Revenue, Dept. of	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 2,500,000</u>	<u>\$ 2,500,000</u>	
Total Administration and Regulation	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 3,498,690</u></u>	<u><u>\$ 3,498,690</u></u>	

Economic Development

General Fund

	Actual FY 2008	Estimated Net FY 2009	Supp-Final Act. FY 2009	Revised Net FY 2009	Final Action FY 2010	Final Action vs Revised FY 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Iowa Finance Authority</u>							
Iowa Finance Authority							
Council on Homelessness	\$ 0	\$ 0	\$ 0	\$ 0	\$ 5,000	\$ 5,000	PG 30 LN 22
Total Iowa Finance Authority	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 5,000</u>	<u>\$ 5,000</u>	
<u>Iowa Workforce Development</u>							
Iowa Workforce Development							
Employee Misclassification Prog	\$ 0	\$ 0	\$ 0	\$ 0	\$ 500,000	\$ 500,000	PG 35 LN 27
Total Iowa Workforce Development	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 500,000</u>	<u>\$ 500,000</u>	
Total Economic Development	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 505,000</u></u>	<u><u>\$ 505,000</u></u>	

Education

General Fund

	Actual FY 2008 (1)	Estimated Net FY 2009 (2)	Supp-Final Act. FY 2009 (3)	Revised Net FY 2009 (4)	Final Action FY 2010 (5)	Final Action vs Revised FY 2009 (6)	Page and Line # (7)
<u>College Aid Commission</u>							
College Student Aid Comm.							
Tuition Grant Program (Standings Bill)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,000,000	\$ 2,000,000	PG 33 LN 15
Total College Aid Commission	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,000,000	\$ 2,000,000	
<u>Education, Dept. of</u>							
Education, Dept. of							
Administration (Standings Bill)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 167,096	\$ 167,096	PG 59 LN 3
Tribal Councils	0	0	0	0	100,000	100,000	PG 59 LN 33
Comm College Interpreters for Deaf	0	0	0	0	200,000	200,000	PG 60 LN 7
K-12 Information Management (Standings Bill)	0	0	0	0	230,000	230,000	PG 60 LN 4
Student Ach/Teacher Quality-Supp	0	0	559,000	559,000	0	-559,000	PG 60 LN 27
Total Education, Dept. of	\$ 0	\$ 0	\$ 559,000	\$ 559,000	\$ 697,096	\$ 138,096	
Vocational Rehabilitation							
Independent Living Center Grant	\$ 0	\$ 246,250	\$ 0	\$ 246,250	\$ 50,000	\$ -196,250	PG 60 LN 19
Education, Dept. of							
Farmers with Disabilities	\$ 0	\$ 0	\$ 0	\$ 0	\$ 108,000	\$ 108,000	PG 30 LN 30
Jobs for Iowa's Grads	0	0	0	0	600,000	600,000	PG 35 LN 16
Total Education, Dept. of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 708,000	\$ 708,000	
Total Education, Dept. of	\$ 0	\$ 246,250	\$ 559,000	\$ 805,250	\$ 1,455,096	\$ 649,846	
<u>Regents, Board of</u>							
Regents, Board of							
Cntr for Disabilities & Dev. Reduction	\$ 0	\$ 0	\$ 0	\$ 0	\$ -6,335,993	\$ -6,335,993	PG 31 LN 31
Licensed Classrooms (Standings Bill)	0	0	0	0	94,600	94,600	PG 59 LN 23
Iowa Braille and Sight Saving (Standings Bill)	0	0	0	0	225,602	225,602	PG 58 LN 35
Iowa Braille and Sight Saving (Standings Bill)	0	0	0	0	68,000	68,000	PG 59 LN 28
Iowa School for the Deaf (Standings Bill)	0	0	0	0	398,980	398,980	PG 58 LN 32
Iowa School for the Deaf (Standings Bill)	0	0	0	0	102,000	102,000	PG 59 LN 30
Total Regents, Board of	\$ 0	\$ 0	\$ 0	\$ 0	\$ -5,446,811	\$ -5,446,811	
Total Education	\$ 0	\$ 246,250	\$ 559,000	\$ 805,250	\$ -1,991,715	\$ -2,796,965	

Health and Human Services

General Fund

	Actual FY 2008	Estimated Net FY 2009	Supp-Final Act. FY 2009	Revised Net FY 2009	Final Action FY 2010	Final Action vs Revised FY 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Human Services, Dept. of							
General Administration							
Licensed Classrooms	\$ 0	\$ 0	\$ 0	\$ 0	\$ 115,500	\$ 115,500	PG 59 LN 16
Assistance							
Medical Assistance Increase	\$ 0	\$ 0	\$ 0	\$ 0	\$ 4,335,993	\$ 4,335,993	PG 32 LN 8
Total Human Services, Dept. of	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 4,451,493</u>	<u>\$ 4,451,493</u>	
Total Health and Human Services	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 4,451,493</u></u>	<u><u>\$ 4,451,493</u></u>	

Justice System

General Fund

	Actual FY 2008	Estimated Net FY 2009	Supp-Final Act. FY 2009	Revised Net FY 2009	Final Action FY 2010	Final Action vs Revised FY 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Justice, Department of</u>							
Justice, Dept. of							
Victim Assistance Grants Standings Bill	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,000,000	\$ 1,000,000	PG 27 LN 32
Total Justice, Department of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,000,000	\$ 1,000,000	
<u>Corrections, Dept. of</u>							
CBC District 1							
CBC District I (Standings Bill)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 359,895	\$ 359,895	PG 26 LN 23
CBC District 2							
CBC District II (Standings Bill)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 252,799	\$ 252,799	PG 26 LN 26
CBC District 3							
CBC District III (Standings Bill)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 220,856	\$ 220,856	PG 26 LN 29
CBC District 4							
CBC District IV (Standings Bill)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 318,752	\$ 318,752	PG 26 LN 32
CBC District 5							
CBC District V (Standings Bill)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 319,582	\$ 319,582	PG 26 LN 35
CBC District 6							
CBC District VI (Standings Bill)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 369,486	\$ 369,486	PG 27 LN 3
CBC District 7							
CBC District VII (Standings Bill)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 157,173	\$ 157,173	PG 27 LN 6
CBC District 8							
CBC District VIII (Standings Bill)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 182,066	\$ 182,066	PG 27 LN 9
Total Corrections, Dept. of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,180,609	\$ 2,180,609	
<u>Inspections & Appeals, Dept. of</u>							
Public Defender							
Indigent Defense Appropriation	\$ 31,282,538	\$ 30,365,185	\$ 2,200,000	\$ 32,565,185	\$ 0	\$ -32,565,185	PG 36 LN 7
Total Inspections & Appeals, Dept. of	\$ 31,282,538	\$ 30,365,185	\$ 2,200,000	\$ 32,565,185	\$ 0	\$ -32,565,185	

Justice System

General Fund

	Actual FY 2008	Estimated Net FY 2009	Supp-Final Act. FY 2009	Revised Net FY 2009	Final Action FY 2010	Final Action vs Revised FY 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Judicial Branch</u>							
Judicial Branch							
Judicial Branch (Standings Bill)	\$ 0	\$ 0	\$ 760,000	\$ 760,000	\$ 11,000,000	\$ 10,240,000	PG 25 LN 15
Total Judicial Branch	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 760,000</u>	<u>\$ 760,000</u>	<u>\$ 11,000,000</u>	<u>\$ 10,240,000</u>	
<u>Public Safety, Department of</u>							
Public Safety, Dept. of							
Operational Expenses (Standings Bill)	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,576,987	\$ 1,576,987	PG 27 LN 22
Total Public Safety, Department of	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 1,576,987</u>	<u>\$ 1,576,987</u>	
Total Justice System	<u>\$ 31,282,538</u>	<u>\$ 30,365,185</u>	<u>\$ 2,960,000</u>	<u>\$ 33,325,185</u>	<u>\$ 15,757,596</u>	<u>\$ -17,567,589</u>	

Transportation, Infrastructure, and Capitals

General Fund

	Actual FY 2008	Estimated Net FY 2009	Supp-Final Act. FY 2009	Revised Net FY 2009	Final Action FY 2010	Final Action vs Revised FY 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Transportation, Dept. of</u>							
Transportation, Dept. of							
Commercial Service Airports	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,500,000	\$ 1,500,000	PG 34 LN 28
Total Transportation, Dept. of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,500,000	\$ 1,500,000	
Total Transportation, Infrastructure, and Capitals	\$ 0	\$ 0	\$ 0	\$ 0	\$ 1,500,000	\$ 1,500,000	

Unassigned Standings

General Fund

	Actual FY 2008	Estimated Net FY 2009	Supp-Final Act. FY 2009	Revised Net FY 2009	Final Action FY 2010	Final Action vs Revised FY 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Administrative Services, Dept. of</u>							
State Accounting Trust Accounts							
Municipal Fire & Police Retirement	\$ 2,745,784	\$ 2,704,597	\$ 0	\$ 2,704,597	\$ 2,503,510	\$ -201,087	PG 2 LN 30
Total Administrative Services, Dept. of	\$ 2,745,784	\$ 2,704,597	\$ 0	\$ 2,704,597	\$ 2,503,510	\$ -201,087	
<u>Cultural Affairs, Dept. of</u>							
Cultural Affairs, Dept. of							
County Endowment DCA Grants-AGR	\$ 520,000	\$ 512,200	\$ 0	\$ 512,200	\$ 452,783	\$ -59,417	PG 2 LN 33
Total Cultural Affairs, Dept. of	\$ 520,000	\$ 512,200	\$ 0	\$ 512,200	\$ 452,783	\$ -59,417	
<u>Economic Development, Dept. of</u>							
Economic Development, Dept. of							
Tourism Marketing - AGR	\$ 1,124,084	\$ 1,083,500	\$ 0	\$ 1,083,500	\$ 957,809	\$ -125,691	PG 3 LN 2
Total Economic Development, Dept. of	\$ 1,124,084	\$ 1,083,500	\$ 0	\$ 1,083,500	\$ 957,809	\$ -125,691	
<u>Education, Dept. of</u>							
Education, Dept. of							
Child Development	\$ 12,606,196	\$ 12,417,103	\$ 0	\$ 12,417,103	\$ 11,493,891	\$ -923,212	PG 3 LN 18
Instructional Support	14,428,264	14,211,847	0	14,211,847	0	-14,211,847	PG 3 LN 23
Transportation of Nonpublic Pupils	8,604,714	8,475,643	0	8,475,643	7,845,479	-630,164	PG 2 LN 23
Total Education, Dept. of	\$ 35,639,174	\$ 35,104,593	\$ 0	\$ 35,104,593	\$ 19,339,370	\$ -15,765,223	
<u>Energy Independence</u>							
Office of Energy Independence							
Iowa Power Fund	\$ 0	\$ 24,625,000	\$ 0	\$ 24,625,000	\$ 20,000,000	\$ -4,625,000	PG 3 LN 5
Iowa Power Fund (Standings Bill)	0	0	0	0	4,000,000	4,000,000	PG 34 LN 21
Total Energy Independence	\$ 0	\$ 24,625,000	\$ 0	\$ 24,625,000	\$ 24,000,000	\$ -625,000	
<u>Legislative Branch</u>							
Legislative Services Agency							
General Assembly Reduction	\$ 0	\$ 0	\$ 0	\$ 0	\$ -4,439,653	\$ -4,439,653	PG 2 LN 7
Total Legislative Branch	\$ 0	\$ 0	\$ 0	\$ 0	\$ -4,439,653	\$ -4,439,653	

Unassigned Standings

General Fund

	Actual FY 2008	Estimated Net FY 2009	Supp-Final Act. FY 2009	Revised Net FY 2009	Final Action FY 2010	Final Action vs Revised FY 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Public Health, Dept. of</u>							
Public Health, Dept. of							
Reg. for Congenital & Inherited Disorders	\$ 232,575	\$ 196,666	\$ 0	\$ 196,666	\$ 182,044	\$ -14,622	PG 3 LN 11
Total Public Health, Dept. of	\$ 232,575	\$ 196,666	\$ 0	\$ 196,666	\$ 182,044	\$ -14,622	
<u>Human Services, Dept. of</u>							
Assistance							
Child Abuse Prevention	\$ 232,575	\$ 232,911	\$ 0	\$ 232,911	\$ 217,772	\$ -15,139	PG 3 LN 15
Total Human Services, Dept. of	\$ 232,575	\$ 232,911	\$ 0	\$ 232,911	\$ 217,772	\$ -15,139	
<u>Management, Dept. of</u>							
Management, Dept. of							
Indian Settlement Officer	\$ 25,000	\$ 24,625	\$ 0	\$ 24,625	\$ 0	\$ -24,625	PG 6 LN 33
Property Tax Credit Fund	28,000,000	43,734,000	0	43,734,000	101,395,597	57,661,597	PG 4 LN 22
Total Management, Dept. of	\$ 28,025,000	\$ 43,758,625	\$ 0	\$ 43,758,625	\$ 101,395,597	\$ 57,636,972	
<u>Revenue, Dept. of</u>							
Revenue, Dept. of							
Livestock Producers Credit	\$ 2,000,000	\$ 1,970,000	\$ 0	\$ 1,970,000	\$ 0	\$ -1,970,000	PG 57 LN 23
Tobacco Reporting Requirements	25,000	24,625	0	24,625	21,768	-2,857	PG 3 LN 8
Total Revenue, Dept. of	\$ 2,025,000	\$ 1,994,625	\$ 0	\$ 1,994,625	\$ 21,768	\$ -1,972,857	
Total Unassigned Standings	\$ 70,544,192	\$ 110,212,717	\$ 0	\$ 110,212,717	\$ 144,631,000	\$ 34,418,283	

Summary Data

Other Funds

	Actual FY 2008	Estimated Net FY 2009	Supp-Final Act. FY 2009	Revised Net FY 2009	Final Action FY 2010	Final Action vs Revised FY 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Administration and Regulation	\$ 0	\$ 0	\$ 2,150,000	\$ 2,150,000	\$ 0	\$ -2,150,000	
Economic Development	0	0	0	0	360,000	360,000	
Transportation, Infrastructure, and Capitals	0	0	2,271,600	2,271,600	318,978	-1,952,622	
Unassigned Standings	159,868,964	159,868,964	-2,150,000	157,718,964	305,153,445	147,434,481	
Grand Total	\$ 159,868,964	\$ 159,868,964	\$ 2,271,600	\$ 162,140,564	\$ 305,832,423	\$ 143,691,859	

Administration and Regulation

Other Funds

	Actual FY 2008	Estimated Net FY 2009	Supp-Final Act. FY 2009	Revised Net FY 2009	Final Action FY 2010	Final Action vs Revised FY 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Rebuild Iowa Office							
Rebuild Iowa Office							
Area Long-term Recovery Comm-EEF	\$ 0	\$ 0	\$ 1,000,000	\$ 1,000,000	\$ 0	\$ -1,000,000	PG 68 LN 35
City Disaster Funding-EEF	0	0	1,150,000	1,150,000	0	-1,150,000	PG 68 LN 2
Total Rebuild Iowa Office	\$ 0	\$ 0	\$ 2,150,000	\$ 2,150,000	\$ 0	\$ -2,150,000	
Total Administration and Regulation	\$ 0	\$ 0	\$ 2,150,000	\$ 2,150,000	\$ 0	\$ -2,150,000	

Economic Development

Other Funds

	Actual FY 2008	Estimated Net FY 2009	Supp-Final Act. FY 2009	Revised Net FY 2009	Final Action FY 2010	Final Action vs Revised FY 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
<u>Iowa Workforce Development</u>							
Iowa Workforce Development							
IWD Field Offices - P & I	\$ 0	\$ 0	\$ 0	\$ 0	\$ 360,000	\$ 360,000	PG 34 LN 13
Total Iowa Workforce Development	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 360,000</u>	<u>\$ 360,000</u>	
Total Economic Development	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 360,000</u>	<u>\$ 360,000</u>	

Transportation, Infrastructure, and Capitals

Other Funds

	Actual FY 2008	Estimated Net FY 2009	Supp-Final Act. FY 2009	Revised Net FY 2009	Final Action FY 2010	Final Action vs Revised FY 2009	Page and Line #
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
Transportation, Dept. of							
Transportation, Dept. of							
RUTF-Special Assessment-Cedar Falls	\$ 0	\$ 0	\$ 0	\$ 0	\$ 317,906	\$ 317,906	PG 29 LN 22
PRF Salt Purchase	0	0	2,271,600	2,271,600	0	-2,271,600	PG 28 LN 30
RUTF-City of Muscatine	0	0	0	0	1,072	1,072	PG 29 LN 14
Total Transportation, Dept. of	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 2,271,600</u>	<u>\$ 2,271,600</u>	<u>\$ 318,978</u>	<u>\$ -1,952,622</u>	
Total Transportation, Infrastructure, and Capitals	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 2,271,600</u>	<u>\$ 2,271,600</u>	<u>\$ 318,978</u>	<u>\$ -1,952,622</u>	

Unassigned Standings

Other Funds

	Actual FY 2008 (1)	Estimated Net FY 2009 (2)	Supp-Final Act. FY 2009 (3)	Revised Net FY 2009 (4)	Final Action FY 2010 (5)	Final Action vs Revised FY 2009 (6)	Page and Line # (7)
Human Services, Dept. of							
General Administration							
Disaster Aid Grants Reduction	\$ 0	\$ 0	\$ -2,150,000	\$ -2,150,000	\$ 0	\$ 2,150,000	PG 67 LN 11
Total Human Services, Dept. of	\$ 0	\$ 0	\$ -2,150,000	\$ -2,150,000	\$ 0	\$ 2,150,000	
Management, Dept. of							
Management, Dept. of							
Cash Reserve Fund to PTCF	\$ 0	\$ 0	\$ 0	\$ 0	\$ 54,684,481	\$ 54,684,481	PG 4 LN 26
Cash Reserve Fund-Perf. of Duty	0	0	0	0	25,600,000	25,600,000	PG 6 LN 5
Cash Reserve Fund to Gen. Fund	0	0	0	0	65,000,000	65,000,000	PG 6 LN 16
Total Management, Dept. of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 145,284,481	\$ 145,284,481	
Revenue, Dept. of							
Revenue, Dept. of							
Homestead Property Tax Credit - PTCF	\$ 99,254,781	\$ 99,254,781	\$ 0	\$ 99,254,781	\$ 100,658,781	\$ 1,404,000	PG 5 LN 6
Ag. Land/Family Farm Tax Credits-PTCF	34,610,183	34,610,183	0	34,610,183	34,610,183	0	PG 5 LN 9
Military Service Tax Credit - PTCF	2,800,000	2,800,000	0	2,800,000	2,400,000	-400,000	PG 5 LN 12
Elderly & Disabled Tax Credit-PTCF	23,204,000	23,204,000	0	23,204,000	22,200,000	-1,004,000	PG 5 LN 15
Total Revenue, Dept. of	\$ 159,868,964	\$ 159,868,964	\$ 0	\$ 159,868,964	\$ 159,868,964	\$ 0	
Total Unassigned Standings	\$ 159,868,964	\$ 159,868,964	\$ -2,150,000	\$ 157,718,964	\$ 305,153,445	\$ 147,434,481	